

# HOUSE OF REPRESENTATIVES—Wednesday, February 26, 1997

The House met at 11 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we read the words of the Psalms, O God, we are reminded that we can bring to You all our thoughts and our feelings, our hopes and our fears, our joys and sorrows. We are told that we should sing a new song, for You have done marvelous things and also that You will hear the prayers of our hearts and minister to us in our deepest need. Bless, O God, all those who turn to You with thanksgiving and praise for each new day and bless, too, all who seek from You the full measure of forgiveness and peace. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. SHAYS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SHAYS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to the provisions of clause 5 of rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Idaho [Mrs. CHENOWETH] come forward and lead the House in the Pledge of Allegiance.

Mrs. CHENOWETH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## WITHHOLD MEXICAN GOVERNMENT CERTIFICATION

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, I will make this very simple. Mexico is not a reliable ally in the war on drugs. Continued and pervasive corruption of Mexican law enforcement, including its top antidrug official, make the choice clear. A nation with between \$10 and \$30 billion in annual drug trade, whose law enforcement and government officials are estimated to receive almost half a billion dollars a year in bribes and whose antidrug czar was in the employ of one of Mexico's most wanted drug lords, does not deserve our certification.

Our Nation's young people are at risk. If we want to take a strong stand against drug use, then we must not certify a country with the kind of problems we are seeing in Mexico. We cannot close our eyes to the antics of Mexico's drug lords and the complicity of Mexican government officials just for the trade benefits.

While Mexican President Zedillo's efforts are encouraging, we need to see some real results. The results will not be forthcoming until the President of Mexico can get the support of the rest of the government with him.

Plain and simple: Certification can wait until then.

## HEALTH INSURANCE FOR CHILDREN

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, today the House Democratic leader, DICK GEPHARDT, and the Senate Democrat leader, TOM DASCHLE, are sending a letter to Republican leaders GINGRICH and LOTT calling on Republicans to move forward on expanding health care coverage for children. Many Democrats, including the President, have developed proposals to ensure all children have health insurance, but to date Republicans have offered no plan while outright refusing offers from the President and congressional Democrats to incorporate a children-only health insurance program into a bipartisan congressional agenda.

Just yesterday, Mr. Speaker, the New York City public advocate, Mark Green, released a report on the growing number of uninsured citizens in New York. Among the report's many disturbing findings was that between 1990 and 1995 the proportion of New York's children who have no medical insurance increased by 6 percent. As of 1995,

nearly 20 percent of New York's children, 1 of every 5, did not have health insurance. And an equally troubling finding was that some 22 percent of uninsured citizens, many of which are parents, actually work for companies of more than a thousand people.

Mr. Speaker, I believe the writing is on the wall: Those parents who work for large companies are finding it difficult, as are many, to adequately provide health insurance for their children.

## HOSPICE

(Mrs. CHENOWETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, I just experienced something we all know we will have to experience and do not want to. I just experienced my mother passing away. And you know, it is very interesting that, while this was a tragedy in our personal life, there was a silver lining to this cloud; and that was the discovery of hospice.

While this Nation has concentrated on new life and the beginning of life and the excitement of new life and youth, which is an understandable thing, America as a whole has not concentrated in helping one another with the death process and the grieving process and the process of losing loved ones. Hospice was there to help our family. Hospice proved to be far more support than I had ever dreamed of.

Hospice, in 72 percent of the cases, is a voluntary organization and supported by Americans across this Nation.

## TRIBUTE TO TOM ROGERS

(Mr. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAPPS. Mr. Speaker, I want to take 1 minute to pay tribute to a man who is very much admired and respected and loved in our community. I refer to the 22d District of California.

Tom Rogers is an inspiring leader in the environmental movement. He is an able, compelling legislator; supervisor for Santa Barbara County. He is a human being of incomparable warmth, charm, positive, constructive spirit. He is currently involved in an all-out knock-down struggle with Lou Gehrig's disease.

I know I speak for all the citizens in our district in cheering him on and

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

telling Tom Rogers and his family that he means the whole world to all of us. We thank him profoundly for all that he, his wife Katy, and the family have done for our community, but we also thank him for his high ideals and for the shoes that he gave me, without which I would not have won this seat in Congress.

We want to cheer him on and we ask that God will be his comfort and his strength.

#### MULTINATIONAL ORGANIZATION TO RULE ON U.S. IMMIGRATION POLICIES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, it is inconceivable but true. A multinational organization, headquartered in another country, is about to rule on whether we here in the United States can establish our own immigration policies.

The World Trade Organization has set up a three-person panel which is hearing the challenge presented by the European Union against our overwhelmingly supported anti-Castro law known as Helms-Burton. That law says that anyone who knowingly trafficks in illegally confiscated property which belongs to a U.S. citizen will not be allowed into our borders. Protection of private properties is not only an American cornerstone, it is also international law. Cuba should be no exception.

The administration must make it quite clear that the United States will not allow any international organization to dictate our foreign policy, and we must assert our willingness to use the national security clause to defend the Helms-Burton law. Anything short of this will compromise our rights as an independent and sovereign Nation. The U.S. Congress writes our laws and not a multinational organization.

#### EIGHTY PERCENT OF ILLEGAL DRUGS COME FROM MEXICO

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, in America today 80 percent of all heroin comes from Mexico; 80 percent of all cocaine and all marijuana comes from Mexico; 80 percent of all narcotics in your town, in my town comes from Mexico. It is so bad that Mexico's top government drug fighter was busted for helping drug traffickers.

And after all of this, reports now say that the White House is leaning towards certifying Mexico again as a co-operating partner in America's war on drugs.

Beam me up, Mr. Speaker. I do not know who is sleeping in Lincoln's bedroom, but I think a bigger question to be answered around here and in Mexico is who all is in bed with these Mexican drug dealers? Last I heard it was still Uncle Sam, not Uncle Sucker. Take a look at it and think about it.

#### TIME FOR THE BALANCED BUDGET AMENDMENT IS NOW

(Mr. TAUZIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAUZIN. Mr. Speaker, it is time for the balanced budget amendment. The time is right. It is our responsibility to present it to the American public. For too long many of my colleagues have sought to protect the pork that has become too heavy a burden for the American people to bear.

The time for scare tactics is over, Mr. Speaker. If opponents of the balanced budget amendment really want to protect the American family and its future, they need to end this constant pattern of false and destructive rhetoric and help us do what is right for the country.

Mr. Speaker, the arguments our opponents are using are simply wrong and they know they are wrong. The balanced budget amendment will not force cuts in Social Security. In fact, the balanced budget amendment is the only hope to save the program in the long run. Let me say it again: No one intends to cut or to touch Social Security. Mr. Speaker, funding for the collection and analysis of the striped bass, however, may have to get reeled in.

Mr. Speaker, we must all act responsibly for the good of the American people we were sent here to represent.

#### COMMUNITY PROSECUTION

(Mr. BLAGOJEVICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLAGOJEVICH. Mr. Speaker, this morning President Clinton allocated \$16 million for juvenile drug courts. That is an innovative investment in our fight against crime. I am here today, Mr. Speaker, to talk about another powerful new strategy in crime fighting: Community prosecution.

With my bill to create a \$10 million nationwide pilot program, we can put prosecutors in neighborhoods across the country to devise creative solutions that can attack conditions that breed crime.

For example, in Portland, OR, neighborhood prosecutors organized teams of residents to patrol business districts and areas plagued by car thefts. Car thefts have declined. When Portland's residents feared a burned-out building would become a gang hangout, Port-

land neighborhood prosecutors made sure the landlords rebuilt. Gangs dispersed.

These successes in Portland indicate that community prosecution is more than just a good idea. It works. We should expand on this Portland model and apply it nationwide.

#### RECOGNIZING EFFORTS OF THE AID ASSOCIATION FOR LUTHERANS

(Mr. MANZULLO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANZULLO. Mr. Speaker, I rise today to recognize and commend the charitable activities of the Aid Association for Lutherans, branch 2543, located in McHenry, IL, in the district I represent.

This organization is well-known for its volunteer efforts to help improve the quality of life in the community. In 1995, AAL received an award from the local county board for recycling 315 tons of paper and 1,000 pounds of aluminum. It also donated \$1,000 to Habitat for Humanity and participated in the construction of one of the homes.

In recognition of its outstanding volunteer service throughout 1995, AAL, branch 2543, received a gold star from its home office, one of several it has earned over time.

I take this opportunity to personally congratulate each member of the local for its selfless efforts to help others. It is a fine example of how ordinary citizens get together and meet the needs of their community. I wish it continued success.

#### JUVENILE JUSTICE PACKAGE SHOULD INCLUDE EDUCATION REFORM

(Ms. KILPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, soon President Clinton will announce his juvenile justice package for the United States of America. I stand here today asking that that package include education reform.

Education is the centerpiece of the President's commitment for this Congress. I am happy that he is allowing and going to increase the Pell grant; wanting to increase the Pell grant to 218,000 more young people. People who are educated function better in American society, more opportunities are available to them.

Any education package, any juvenile justice reform must include educational opportunities, must include opportunities in co-op work experiences, must include a business education partnership where we might give tax credits to those businesses



who hire young people. If we are going to have effective juvenile justice reform, we have to have education as the centerpiece of that. I pledge to work closely with the President to see that that happens.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 36. Joint resolution approving the Presidential finding that the limitation on obligations imposed by section 518A(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, is having a negative impact on the proper functioning of the population planning program.

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Indiana [Mr. COATS], from the Committee on Armed Services, to the Board of Visitors of the United States Military Academy.

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Arizona [Mr. MCCAIN], from the Committee on Armed Services, to the Board of Visitors of the United States Naval Academy.

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Idaho [Mr. KEMPTHORNE], from the Committee on Armed Services, to the Board of Visitors of the United States Air Force Academy.

The message also announced that pursuant to Public Law 96-388, as amended by Public Law 97-84, the Chair, on behalf of the President pro tempore, re-appoints the following Senators to the United States Holocaust Memorial Council:

The Senator from Utah [Mr. HATCH],  
The Senator from Iowa [Mr. GRASSLEY], and

The Senator from Alaska [Mr. MURKOWSKI].

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Connecticut [Mr. DODD] as Vice Chairman of the Senate Delegation to the Mexico-United States Interparliamentary Group during the One Hundred Fifth Congress.

The message also announced that pursuant to Public Law 96-388, as amended by Public Law 97-84, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council:

The Senator from California [Mrs. BOXER], vice the former Senator from Rhode Island, Mr. Pell, and

The Senator from New Jersey [Mr. LAUTENBERG].

The message also announced that pursuant to Public Law 99-661, the Chair, on behalf of the Vice President, appoints the Senator from Michigan [Mr. LEVIN] as a member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation, vice the former Senator from Georgia, Mr. Nunn.

□ 1115

#### CAMPAIGN FINANCE REFORM

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, I would like to speak very briefly about campaign finance reform. The Congress should, and I believe we will, be working to fix the way we fund our campaigns. None of us wants to spend as much time as we do raising money. None of us wants to have to spend so much money every two years. I think that is a point that may be missed by many Americans.

What we want to do is have more time to work on those things which we think are good for America. However, reforming the campaign system will not be simple, and it will take time and effort. We must work together in a bipartisan way to achieve control in campaign spending, one that protects constitutional rights to contribute and participate in the political process.

Mr. Speaker, I hope that we can address these goals by increasing disclosure of where money comes from, reducing the role of soft money, enhancing the role of small supporters. Let us all work together to bring about needed campaign finance reform.

#### THE AIRING OF "SCHINDLER'S LIST"

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, on Sunday evening, NBC aired "Schindler's List", the epic film about the Holocaust directed by Steven Spielberg. Yesterday I was shocked to learn that a colleague here in this House criticized NBC for airing this movie, saying that it should outrage parents and decent-minded individuals everywhere.

This film was aired to educate and to enlighten decent-minded individuals everywhere. There is a difference between gratuitous violence and history. Is this film violent? Yes. Was the Holocaust violent? Yes. Is this film difficult to watch? Yes. And that is why NBC warned its viewers to use their discretion in allowing children to watch the film.

Steven Spielberg said that he would not allow his grade school children to watch, taking personal responsibility for monitoring his children's viewing habits, as all parents can and should do.

Mr. Speaker, NBC should not be condemned for showing this film. NBC should be commended for showing this film, a film that documents one of the darkest chapters of our world history, a chapter that we must never forget.

#### "SCHINDLER'S LIST": SO WE NEVER FORGET

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute.)

Mr. MCGOVERN. Mr. Speaker, last Sunday night 65 million Americans watched the movie "Schindler's List" when it was shown without commercial interruption on NBC network television. At a time when there is heated debate over the lack of quality television programming, this movie is a shining example of what network television can do right.

This award-winning film depicts the horrors of the Holocaust in graphic and moving terms. More important, this is a true story. These were real events, real lives and deaths, real acts of human depravity and real demonstrations of human courage and dignity. These are the history lessons that all our children should learn, that human beings and their political ideology have often committed heinous crimes against humanity and that it must never ever happen again.

Mr. Speaker, I am outraged by the words of one of my colleagues, who has said that showing this film uncut on television should offend "decent-minded individuals everywhere." This is not a film where nudity and violence are gratuitous. This film is honest and direct, and that truth is often brutal and horrifying.

Mr. Speaker, may we show our respect for those who survived the Holocaust and perished in its wake by teaching our children about the dark moments in our shared history and by vowing that this will never ever happen again.

#### IN SUPPORT OF H.R. 668, AVIATION TRUST FUND TAX REINSTATEMENT

(Mr. FORD asked and was given permission to address the House for 1 minute.)

Mr. FORD. Mr. Speaker, I rise today urging my colleagues to support H.R. 668. This measure is critical to ensure that funds will continue to flow to the Aviation Trust Fund. The Memphis and Shelby County Airport Authority, located in my congressional district, is due to receive approximately \$11 million in airport improvement grants

this fiscal year to complete construction of the third parallel runway at the Memphis International Airport. The airport authority is also expecting an additional \$4 million for the Noise Compatibility Program.

I believe it is irresponsible, Mr. Speaker, to further delay capital improvements and threaten aviation safety at our Nation's airports. Furthermore, any Member of the Congress with a large airport in her district understands the serious needs of airport area residents adversely affected by aircraft noise.

Mr. Speaker, my congressional district is one of the Nation's top distribution centers, in part because the largest cargo airline in the world operates from our international airport.

Mr. Speaker, H.R. 668 is essential to commerce not only in the Ninth Congressional District but throughout the Nation and the world. I urge my colleagues to vote for H.R. 668.

#### SUPPORT FOR PRESIDENT'S PROPOSALS ON EDUCATION

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. DAVIS of Illinois. Mr. Speaker, I take this opportunity to commend President Clinton for making education a priority. I agree that education is indeed the key and we as a Nation must unlock the door of opportunity so that all of our citizens can participate. Therefore, the money that President Clinton is asking for his budget proposal for education must be made available.

Mr. Speaker, we cannot have good schools, good teachers and quality education unless we are willing to pay the price. I do not believe that there is any price too high to pay for our young people to have an opportunity to direct the future of this Nation. Therefore, I urge that we support the education proposals that have been put forth by the President.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAYS). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate is concluded on all motions to suspend the rules, but not before noon today.

#### ARMORED CAR RECIPROCITY AMENDMENTS OF 1997

Mr. TAUZIN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 624) to amend the Armored Car Industry Reciprocity Act of 1993 to clarify certain requirements and to improve the flow of interstate commerce.

The Clerk read as follows:

#### H.R. 624

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Armored Car Reciprocity Amendments of 1997".

#### SEC. 2. CLARIFICATION OF STATE RECIPROCITY OF WEAPONS LICENSES ISSUED TO ARMORED CAR COMPANY CREW MEMBERS.

(a) IN GENERAL.—Section 3(a) of the Armored Car Industry Reciprocity Act of 1993 (15 U.S.C. 5902(a)) is amended to read as follows:

"(a) IN GENERAL.—If an armored car crew member employed by an armored car company—

"(1) has in effect a license issued by the appropriate State agency (in the State in which such member is primarily employed by such company) to carry a weapon while acting in the services of such company in that State, and such State agency meets the minimum requirements under subsection (b); and

"(2) has met all other applicable requirements to act as an armored car crew member in the State in which such member is primarily employed by such company; then such crew member shall be entitled to lawfully carry any weapon to which such license relates and function as an armored car crew member in any State while such member is acting in the service of such company."

(b) MINIMUM STATE REQUIREMENTS.—Section 3(b) of such Act (15 U.S.C. 5902(b)) is amended to read as follows:

"(b) MINIMUM STATE REQUIREMENTS.—A State agency meets the minimum State requirements of this subsection if—

"(1) in issuing an initial weapons license to an armored car crew member described in subsection (a), the agency determines to its satisfaction that—

"(A) the crew member has received classroom and range training in weapons safety and marksmanship during the current year from a qualified instructor for each weapon that the crew member will be licensed to carry; and

"(B) the receipt or possession of a weapon by the crew member would not violate Federal law, determined on the basis of a criminal record background check conducted during the current year;

"(2) in issuing a renewal of a weapons license to an armored car crew member described in subsection (a), the agency determines to its satisfaction that—

"(A) the crew member has received continuing training in weapons safety and marksmanship from a qualified instructor for each weapon that the crew member is licensed to carry; and

"(B) the receipt or possession of a weapon by the crew member would not violate Federal law, as determined by the agency; and

"(3) in issuing a weapons license under paragraph (1) or paragraph (2), as the case may be—

"(A) the agency issues such license for a period not to exceed two years; or

"(B) the agency issues such license for a period not to exceed five years in the case of a State that enacted a State law before October 1, 1996, that provides for the issuance of

an initial weapons license or a renewal of a weapons license, as the case may be, for a period not to exceed five years."

#### SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana [Mr. TAUZIN] and the gentleman from New York [Mr. MANTON] each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 624, the Armored Car Reciprocity Amendments. All we need to do is watch the evening news to be aware of the problems faced by the Nation's law enforcement and security personnel. We live in increasingly dangerous times, where a badge is now a target and the lives of people wearing those badges are placed in grave danger on a daily basis.

Those who guard armored cars are no exception. Both the FBI and the armored car industry agree that there are more than 6 robbery attempts against armored cars every month. Sometimes these attempts result in the injury or death of the guard.

There is no question there is a strong need for these individuals to be armed. When this committee reported the Armored Car Industry Reciprocity Act in the 103d Congress, it recognized that fact. However, it also recognized that we need to keep weapons out of the hands of criminals and the untrained. While most States require substantial training in the safe and legal use of their weapons before they issue crew members weapons permits, we reiterated that sentiment when we required regular training and criminal background checks before a State's weapons permit could be entitled to reciprocity under our act.

The legislation of the gentleman from Kentucky [Mr. WHITFIELD], H.R. 624, the Armored Car Reciprocity Amendments of 1997, simply makes some technical changes in the original statute to better conform its requirements to the procedures in place in the majority of the States today. It still requires regular training and criminal background checks for armored car crew members, but allows States the necessary flexibility to issue permits according to their own procedures and their own timetables.

In fact, it differs from the House-passed bill in only one substantive respect, and that was in response to criticisms leveled by some Members of the other body who failed to pass this legislation during the last Congress.

It is a little known fact that the single largest interstate customer of the armored car industry is the Federal



Government. Private companies annually transport billions of dollars in currency, coin, food stamps, and other negotiable documents. Because we entrust these companies with the Nation's valuables, we have an obligation to ensure that their job in protecting these valuables is as easy as possible.

Mr. Speaker, that is why we need to enact H.R. 624. The gentleman from Kentucky [Mr. WHITFIELD] should be commended for his hard work in seeing this bill through. I would also like to thank the gentleman from New York [Mr. MANTON], the ranking minority member of the subcommittee, and the gentleman from Ohio [Mr. OXLEY] for their support in bringing this legislation to the floor.

Mr. Speaker, I urge all of my colleagues to support the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MANTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this noncontroversial bipartisan legislation that will go a long way toward solving some of the problems currently confronting the armored car industry. These vehicles, privately or federally owned and operated, provide a valuable service for our Nation's financial institutions and businesses.

Unfortunately, this is an industry which not surprisingly is often the target of violent criminals. Attacks on armored cars not only result in the loss of untold amounts of property but all too often ends with crew members being seriously injured or killed. Every day millions of dollars of currency, food stamps, and other valuables are carried by armored cars on our Nation's highways, roadways, and local streets. The nature of this work requires these vehicles and their crews to cross State lines in order to make deliveries, pickups, and provide other essential services.

This legislation will facilitate the interstate transmittal of valuable cargoes by providing armored crew members the authority to carry firearms across State lines. The bill grants reciprocity for necessary licenses as long as all requirements of the crew's primary State have been met and that they have passed the requisite criminal background checks.

Mr. Speaker, over the last several years there has been a marked increase in the number of ATM machines and other financial service sites in this country. This in turn has led to more currency being transmitted on our roads, increasing the likelihood of attempted robberies and exposing crew members performing their duties to ever greater dangers. This legislation will ensure that armored car crews are able to adequately protect themselves, but will not in any way change Federal requirements for possession of a weapon or make it easier for anyone to receive a weapons license.

During hearings on this issue, we learned of a rather ludicrous situation where armored car crew members were actually taken into police custody because their weapons permits were found to be invalid in that particular State. As a result, not only were these employees inconvenienced but their armored car was actually left defenseless by the side of the highway for an inordinate length of time. Such examples highlight the importance of solving the current problems of inconsistent application of license requirements and renewal processes among the various States.

Mr. Speaker, I would like to thank both the gentleman from Kentucky [Mr. WHITFIELD] for crafting this legislation and Chairman TAUZIN for moving this bill so expeditiously through the Committee on Commerce. As an original cosponsor of H.R. 624, I urge all of my colleagues to support this commendable legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. WHITFIELD], the author of the legislation.

Mr. WHITFIELD. Mr. Speaker, I am pleased today that the House is taking up our legislation, the Armored Car Reciprocity Amendments of 1997, which is essentially the same legislation passed by the House without opposition during the 104th Congress. Unfortunately, time ran out in the Senate and they did not complete their work.

In the United States, armored cars are used to transport millions of dollars in currency, coins, food stamps, and other valuable property for both private entities and the Federal Government, and because of the value of the cargo, armored cars are often, as we would expect, the targets of crime.

□ 1130

This legislation addresses the problems encountered by the States in three ways. First, it grants reciprocity for both weapons licenses and any other permits or licenses required in a particular State so long as the crew member has met all of the requirements in the State in which he or she is primarily employed; second, it makes clear that it is the State which should conduct criminal background checks and permits the States to do so in whatever manner they deem appropriate; and third, it eliminates the requirement in the original act that renewal permits be reissued annually and permits States to follow their own timetables. These changes represent a major step forward in achieving the objectives of the original act.

Under the act as originally signed into law, only Illinois, Louisiana, Maryland, North Carolina, and Virginia met the requirements for reci-

procity. With the changes under H.R. 624, 28 other States will qualify, and this will truly ease the flow of these valuable goods and interstate commerce.

It is important to note that there is nothing in this bill which makes it easier for someone to get a gun that should not have one in the first place. If the person is prohibited from possessing a weapon under Federal law, there is nothing in this bill to change that. Further, it continues to require regular criminal background checks and weapons training for armored car crew members. In short, it simply eases the regulatory burden on armored car crews and companies, makes their job easier while effectively maintaining public safety.

I want to thank particularly the gentleman from Louisiana [Mr. TAUZIN] and the gentleman from Ohio [Mr. OXLEY] and the gentleman from New York [Mr. MANTON] for their work on this legislation. I urge my colleagues on both sides of the aisle to support the legislation and thank them.

Mr. TAUZIN. Mr. Speaker, I commend the author of the legislation and now yield such time as he may consume to the gentleman from Ohio [Mr. OXLEY], who, by the way, is the only serving former member of the FBI.

Mr. OXLEY. Mr. Speaker, I feel compelled to quote the great Yogi Berra and point out that consideration of this bill feels like déjà vu all over again. It was just last year that I stood on the floor, managed legislation virtually identical to the bill before us today. That is why I am pleased to join our friend, the gentleman from Kentucky [Mr. WHITFIELD], and the gentleman from New York [Mr. MANTON] again as cosponsor of H.R. 624, the Armored Car Reciprocity Amendments of 1997, and thank the gentleman from Louisiana [Mr. TAUZIN] for his leadership in this issue.

Armored car crew members have a very dangerous job. They transport billions of dollars' worth of valuables every year, which makes them an increasingly ripe target for attack by everyone from militias to drug gangs to common criminals. In fiscal year 1995, the FBI investigated nearly 70 armored car robberies. In the first 6 months of 1996, they investigated more than 30 new cases of robbery attempts against armored cars and their crews, and I know that it comes as no surprise that there were injuries and fatalities in a number of these cases, as pointed out by previous speakers.

Armored car crews are trained professionals who need to be able to protect themselves and their cargo against attack. This bill simply makes it easier for these companies and employees to operate safely and legally and safely in interstate commerce, and that is why I have supported this legislation in the past, why I continue to support it today.

Mr. Speaker, I urge all of my colleagues to support this important legislation.

Mr. TAUZIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I wish to congratulate my colleague from Kentucky [Mr. WHITFIELD] for what he has done on this bill and the gentleman from Louisiana [Mr. TAUZIN] for bringing this bill to the House floor.

In the United States armored cars are used to transport millions and millions of dollars in currency, coins, food stamps, and other valuable property. The Federal Government remains the largest customer to the armored car industry. As a result of their cargo, armored cars are often a target of crime. In order to protect the safety of both the cargo and the individuals responsible for its transport, we are once again considering amendments to the Armored Car Industry Reciprocity Act.

Mr. Speaker, I was pleased to have been an original cosponsor of similar legislation which passed the House unanimously during the 104th Congress.

The need for these amendments can be illustrated by an incident, a case in New Jersey, in which the operation of an armored car across the State lines almost ended in the loss of \$40 million in very valuable Federal property. The armored car was stopped by a policeman for a traffic violation, and when the licenses were checked of the armored car guards, it is found that they did not have the proper permit, and they were arrested for carrying a weapon without a permit in that State. The armored car remained on the side of the highway overnight, containing \$40 million worth of very valuable property. Had the amendments we are considering today been in place, the potential for a financial detrimental situation could have been avoided altogether.

I think it important, Mr. Speaker, to emphasize that these amendments do not place weapons in the hands of additional people. The reciprocity of the licenses extends only to those professionals who have obtained a weapons license in that primary State of employment, and of course when they get this permit, they must commit to a safety test, and their record is checked and a background check is made.

Since the genesis of this legislation involves the reciprocity of weapons licenses, I want to briefly mention legislation that I have introduced to allow reciprocity for concealed weapons, licenses that would be given to individuals. H.R. 339 establishes the right-to-carry parameters across State lines. It is my hope that my colleagues will join me in support of further reciprocity for gun owners.

Mr. Speaker, today we are faced with an easy task. By passing H.R. 624 we

will remove the barriers that currently inhibit interstate travel of armored cars. It is senseless that armored car guards who have met the professional licensing requirements to carry a weapon in one State should be required to obtain a license in every State that they travel through when they are transporting their cargos.

So I urge passage of this bill and I again compliment the gentleman from Louisiana [Mr. TAUZIN] and the gentleman from Kentucky [Mr. WHITFIELD].

Mr. MANTON. Mr. Speaker, we have no more requests for time, so I yield back the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume merely to again thank the gentleman from New York [Mr. MANTON] for his extraordinary help and cooperation in moving this bill forward, and all the members of our subcommittee of the Committee on Commerce who participated in this effort, and I urge final passage of the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to speak in support of H.R. 624, the Armored Car Reciprocity Improvement Act.

In the United States, armored cars are used everyday to transport millions of dollars in currency, coins, food stamps, and other valuable property for both private entities and the Federal Government. The value of this cargo is not in dispute, but the ability of those charged with the responsibility of transporting it is.

The legitimacy of those who currently transport cargo by armored car across State lines, must be universally recognized by all States. H.R. 624 will go a long way in accomplishing this goal.

This bill will accomplish several important functions for the armor car industry and its customers, who depend on the ability of armored cars and their attendants to function across the State lines.

The bill requires that a criminal background check be conducted on an individual applying for a firearms license only when that person applies for his or her initial license, and it clarifies that it is the State that must conduct the initial criminal background check, and not some third party.

Finally, this bill would establish that reciprocity be granted for both weapons licenses and any other permits or licenses required in a State, if the crew member has met all relevant requirements for working as an armored car crew member in the State in which he or she is primarily employed.

Currently, only five States meet the eligibility requirements for reciprocity under the Armored Car Industry Reciprocity Act of 1993. It is estimated that the change in the law proposed by this bill would enable 28 other States to become immediately eligible for reciprocity.

Mr. TAUZIN. Mr. Speaker, I have no other requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. (Mr. SHAYS). The question is on the motion offered by the gentleman from Louisiana [Mr. TAUZIN] that the House suspend the rules and pass the bill, H.R. 624.

The question was taken.

Mr. TAUZIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 624 and to insert extraneous material into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### REPEALING FEDERAL CHARTER OF GROUP HOSPITALIZATION AND MEDICAL SERVICES, INC.

Mr. DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 497) to repeal the Federal charter of Group Hospitalization and Medical Services, Inc., and for other purposes.

The Clerk read as follows:

H.R. 497

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. REPEAL OF FEDERAL CHARTER OF GROUP HOSPITALIZATION AND MEDICAL SERVICES, INC.

(a) REPEAL OF FEDERAL CHARTER.—

(1) IN GENERAL.—The Act entitled "An Act providing for the incorporation of certain persons as Group Hospitalization, Inc.", approved August 11, 1939 (53 Stat. 1412), is repealed.

(2) AUTHORIZATION TO FILE ARTICLES OF INCORPORATION.—Group Hospitalization and Medical Services, Inc. is hereby authorized to file articles of incorporation under the District of Columbia Nonprofit Corporation Act.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect upon the filing and effectiveness of articles of incorporation of Group Hospitalization and Medical Services, Inc. under the District of Columbia Nonprofit Corporation Act.

(b) EFFECTS OF BECOMING A DISTRICT OF COLUMBIA NONPROFIT CORPORATION.—Effective upon the filing and effectiveness of articles of incorporation of Group Hospitalization and Medical Services, Inc. as authorized in paragraph (2) of subsection (a), Group Hospitalization and Medical Services, Inc.—

(1) Shall be District of Columbia nonprofit corporation subject to the articles of incorporation;

(2) shall be deemed organized and existing under the District of Columbia Nonprofit Corporation Act, notwithstanding any of the provisions of section 4 of the District of Columbia Nonprofit Corporation Act regarding organizations subject to any of the provisions of the insurance laws of the District of Columbia;

(3) shall be legally domiciled in the District of Columbia;



(4) shall be regulated by the Superintendent of Insurance of the District of Columbia in accordance with the laws and regulations of the District of Columbia;

(5) shall continue to exist; and

(6) shall continue to be authorized to transact business—

(A) under existing certificates of authority and licenses issued to Group Hospitalization and Medical Services, Inc. before such filing and effectiveness,

(B) under the name "Group Hospitalization and Medical Services, Inc.", and

(C) under applicable laws and regulations.

#### SEC. 2. WAIVER OF CONGRESSIONAL REVIEW PERIOD.

Notwithstanding section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1-233(c)(1), D.C. Code), the Hospital and Medical Services Corporation Regulatory Act of 1996 (D.C. Act 11-505) shall take effect on the date of the enactment of such Act or the date of the enactment of this Act, whichever is later.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. DAVIS] and the gentlewoman from the District of Columbia [Ms. NORTON] each will control 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 497 repeals the Federal charter of the Group Hospitalization and Medical Services, Inc., the Blue Cross/Blue Shield Plan of the National Capital Area.

GHMSI, as it is known, is the only insurance company to have a Federal charter. It was granted in 1939. Under the charter, provision is made for its repeal by Congress.

The GHMSI Federal charter has become an anachronism and an impediment to competition. This bill seeks to level the playing field. When granted in 1939, the District of Columbia Code did not have provisions to regulate such an entity. It has had such regulatory provisions now for a number of years. As recently as 1992 and 1993, Congress amended the charter to specify that GHMSI be domiciled in the District and governed by local laws and regulations. At the present time, GHMSI is subject to the District's Nonprofit Corporation Act and is under the jurisdiction of the Superintendent of Insurance.

By waiving the congressional review period for D.C. Act 11-505, as provided for in this bill, the new entity, upon acceptance of its articles of incorporation, will continue to be governed by local laws without a gap or a delay in enforcement. The bill authorizes GHMSI to file articles of incorporation under the District's Nonprofit Corporation Act. The new entity would continue to be governed under its existing certificate of authority and licenses and will continue to be bound by applicable laws and regulations. Local regulation would continue to be the respon-

sibility of the Superintendent of Insurance of the District of Columbia.

H.R. 497 is necessary because of the significant changes which have occurred in health care delivery systems nationwide and in the Washington metropolitan area. These changes are the result of market-based reforms stimulated by the growth of managed care. Health care plans must now compete to survive. Successful plans must be keyed to consumers, markets, and products. All other Blue Cross plans in the country are State-chartered corporations operated under State regulatory oversight. GHMSI alone needs congressional approval to change its corporate structure.

These arguments are not theoretical. On January 14, 1997, Blue Cross/Blue Shield of the National Capital Area and Blue Cross/Blue Shield of Maryland signed a letter of intent to combine by forming a nonprofit holding company, with both plans as subsidiaries. This is subject to review by the insurance commissioners for Maryland, Virginia, and the District of Columbia, but without this bill Congress would also have to vote its approval. To require congressional approval of such an action puts GHMSI at a competitive disadvantage.

This bill is essential in order for GHMSI to fully compete in the marketplace and for the ability of subscribers in the region to obtain and maintain quality and affordable health care benefits.

Mr. Speaker, I want to make very clear that GHMSI will be the very same corporation after the repeal of the Federal charter as it was before the repeal of the Federal charter. This is merely a change in identity, form, or place of organization for the group health of GHMSI of the type recognized as a reorganization under section 368(a)(1)(F) of the Internal Revenue Code of 1986.

Mr. Speaker, I urge passage of this bill.

#### QUESTIONS AND ANSWERS REGARDING H.R. 497, TO REPEAL THE FEDERAL CHARTER OF GROUP HOSPITALIZATION AND MEDICAL SERVICES, INC.

Q: What does this bill do?

A: It repeals the Federal Charter of Group Hospitalization and Medical Services, Inc. This is the entity that holds a license from the Blue Cross and Blue Shield Association to do business as Blue Cross and Blue Shield of the National Capital Area.

Q: Why repeal the federal charter?

A: To help regional consumers by giving the District Blues the same flexibility that all other health insurance companies in the country have. The charter has become an anachronism and an impediment to competition. GHMSI is the only health insurance company to hold a federal charter. This bill creates a more level playing field.

Q: When was the federal charter granted?

A: It dates back to 1939, when there was no local home rule in the District of Columbia and no local laws governing nonprofit health insurance companies. There is now a Super-

intendent of Insurance in the District and a local Nonprofit Corporation Act.

Q: How are other Blue Cross plans in the country treated?

A: All others are state chartered corporations operating under state regulatory oversight. GHMSI alone needs congressional approval to change its corporate structure.

Q: Does Blue Cross support this bill?

A: Yes. In fact, they requested it.

Q: Does the bill effect any other health insurance company in the country?

A: No. The bill, if enacted, would become part of the District of Columbia Code.

Q: Does the bill have any impact on federal employees?

A: No.

Q: Is the bill supported by District local officials?

A: Yes. It is supported by locally elected officials and by the control board.

Q: Does the bill change anything for Blue Cross subscribers?

A: Not at all.

Q: Does the bill have any direct effect on the federal budget?

A: No. The Congressional Budget Office and the Joint Committee on Taxation have so stated in writing.

Q: Has this bill been introduced before?

A: No. But it was included in the Omnibus Continuing Resolution passed by the House last year.

Q: Is there any known opposition to this bill at the present time?

A: No. Co-sponsors include members of the regional delegation from both sides of the aisle.

Q: Does the bill have any impact on for-profit health insurance companies?

A: No.

Q: How does this bill compare to the laws governing nonprofit health insurance companies in the bordering states of Maryland and Virginia?

A: It establishes comparability. The bill authorizes GHMSI to file articles of incorporation under the District's Nonprofit Corporation Act. The new entity would continue to be governed under its existing certificates of authority and licenses. It would continue to be bound by applicable laws and regulations. Local regulation would continue to be by the Superintendent of Insurance of the District of Columbia upon certification of the articles of incorporation.

Q: Is this bill strictly theoretical?

A: No. On January 14, 1997 Blue Cross/Blue Shield of the National Capital Area and Blue Cross/Blue Shield of Maryland signed a Letter of Intent to combine by forming a holding company, with both plans as subsidiaries. This is subject to review by the insurance commissioners for Maryland, Virginia, and the District of Columbia. Without this bill Congress would also have to vote its approval. To require congressional approval of such an action puts the Blues at a competitive disadvantage. Successful plans, reflecting market-based reforms, must compete to survive by being keyed to consumers.

Q: What about the waiver provision in the bill for D.C. Act 11-505?

A: This is necessary in order to ensure that there will be no delay and no gap in enforcement of local laws to the new nonprofit Blue Cross company authorized by this bill. D.C. Act 11-505 is the new Hospital and Medical Services Corporation Act enacted by the District government. It passed unanimously and was approved by the control board.

Q: Is there any known opposition to D.C. Act 11-505?

A: No. It was transmitted to Congress by the District Government on February 4, 1997.

Q: What happens if the congressional review period for D.C. Act 11-505 is not waived?

A: Then the enactment could not pass into the District Code until after H.R. 497 passes, hence creating a likely delay in enforcement. Thus, this section of the bill was included out of an abundance of caution.

Q: Why was D.C. Act 11-505 deemed necessary?

A: Because otherwise there would be no local laws governing GHMSI or its successor corporation in the District of Columbia. GHMSI is now operating under a consent order with the District of Columbia Insurance Administration. The original federal charter expressly exempts GHMSI from District Government regulation, though this was amended by Congress in 1992 to permit such regulation.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to begin by thanking the gentleman from Indiana [Mr. BURTON] for allowing us to expedite consideration of this bill, and I want to express my appreciation to the subcommittee chair, the gentleman from Virginia [TOM DAVIS], for his work in making certain that this bill came to the floor this morning.

Mr. Speaker, in August 1939 Congress granted a Federal charter to Group Hospitalization, Inc., which authorized it to arrange for the provision of hospital services on a nonprofit basis to individuals residing in the District of Columbia. This was necessary because, at the time, the District had no laws in place to regulate nonprofit health insurance companies and, of course, there was no self-government at the time, but this body was the legislating body for the District of Columbia. The District only had the means to regulate mutual insurance companies, which group hospitalization did not wish to become. As a consequence, Group Hospitalization, Inc. began its operations exempt from local regulation.

In October 1984, the charter was amended to expand Group Hospitalization's purpose beyond arranging for hospital services to include arranging for the provision of medical services on a nonprofit basis. This amendment also provided for a change of the company's name to Group Hospitalization and Medical Services, Inc., otherwise known as GHMSI. GHMSI is currently licensed by the Blue Cross and Blue Shield Association to do business as Blue Cross and Blue Shield of the National Capital area.

□ 1145

In the early 1990's, GHMSI's management engaged in a wide range of questionable business practices which threatened the corporation's financial stability. The Senate Government Affairs Committee's Subcommittee on Investigations held hearings on the situation. The subcommittee determined that the situation might have been

avoided had GHMSI been fully regulated by the District government.

To remedy this situation and protect the interests of the citizens served by GHMSI, the Congress amended its charter in both 1992 and 1993 to provide that it be licensed and regulated by the District government.

Last December, the District government enacted the Hospital and Medical Services Corporation Regulatory Act. This legislation establishes an improved statutory framework for the District's insurance administration to regulate GHMSI and any other similar nonprofit insurance corporations.

Last month GHMSI and Blue Cross and Blue Shield of Maryland announced that they had signed a letter of intent to combine their business operations through the formation of a nonprofit holding company. Both health plans will continue to operate as subsidiaries of the holding company. This arrangement is expected to enhance their financial stability and provide their members with access to a wider array of service providers.

The completion of this transaction would be made possible by the repeal of GHMSI's Federal charter. However, it would still be subject to regulatory reviews and approvals by the insurance commissioners of the District of Columbia, Maryland, and Virginia.

Today, GHMSI is the only federally chartered health insurance corporation. All other Blue Cross and Blue Shield plans and all other commercial insurance companies are State chartered and subject to State regulatory oversight.

In order for GHMSI to make a change in its corporate structure, the Congress would have to amend its charter. This is a burdensome process that encumbers GHMSI's efficient operation.

In order to enable GHMSI to compete within the insurance industry on a level playing field, it is appropriate that Congress grant its request to repeal the charter and allow the local government to exclusively regulate GHMSI's affairs.

This bill is fully in keeping with self-government and home rule. We therefore have before us, Mr. Speaker, a bill that facilitates the operations of a very important company located in the District of Columbia at the same time that it removes a remnant from the prehome rule period of the District of Columbia. So it serves the interests of all involved. I am pleased that it also serves the interests of the local governments in the neighboring regions as well.

Mr. CUMMINGS. Mr. Speaker, the proposal that we are considering today will help bring improved services and benefits to the many Blue Cross/Blue Shield subscribers in my district in Baltimore and to many of the constituents of representatives from suburban Maryland, Northern Virginia, and Washington, DC.

I commend the gentleman from Virginia for introducing this necessary legislation.

This bill extinguishes the Federal charter of Blue Cross/Blue Shield of the National Capital Area, which will permit it to organize and come under the jurisdiction of D.C. insurance laws—as it should have long ago. A merger between the National Capital area Blue Cross/Blue Shield and Maryland Blue Cross/Blue Shield will create a \$3 billion-dollar-a-year nonprofit company—providing health care coverage to 25 percent of the 8 million residents of Maryland, the District, and the Northern Virginia suburbs.

Just as important, my constituents in Baltimore that are enrolled in the Blue Cross/Blue Shield plan will receive tangible results from the merger. It will increase competition, which will result in better service, more options, and access to a larger number of doctors, hospitals, and pharmacies at a lower cost for its customers.

The passage of H.R. 497 is essential to giving my constituents in Baltimore, and the constituents of the members of Maryland, Virginia, and Washington, DC the type of comprehensive, quality health care they deserve.

I am glad to know that we in Congress are doing all that we can to give health care providers greater flexibility to meet our constituents' health care needs.

Again, I congratulate the gentleman from Virginia, Mr. DAVIS for introducing this meaningful legislation and for working with the minority in such a bipartisan fashion.

I urge my colleagues to suspend the rules and pass H.R. 497.

Mr. HOYER. Mr. Speaker, I rise today to express my support for H.R. 497, a bill to repeal the Federal Charter for Group Hospitalization and Medical Services, Inc., better known as Blue Cross and Blue Shield of the National Capital Area.

H.R. 497 eliminates an outdated arrangement under which GHMSI, alone among health insurance providers, has had to operate. H.R. 497 authorizes GHMSI to file articles of incorporation with the District of Columbia Nonprofit Corporation Act. The bill thus paves the way for GHMSI to become a District of Columbia nonprofit corporation—legally domiciled in the District of Columbia and subject to regulation by the superintendent of insurance for the District of Columbia.

GHMSI will continue to exist under the same name and will be authorized to transact business as it has—under all existing licenses and certificates of authority.

With the exception of GHMSI, Blue Cross Blue Shield plans and all other commercial insurance companies around the country are State chartered corporations operating under State regulatory oversight.

H.R. 497 will place GHMSI on an equal footing with other plans and health insurers—enabling it to continue to provide comprehensive and affordable coverage to residents of the District of Columbia and the Washington Metropolitan area, while meeting the challenges of a changing health care marketplace.

Of particular importance to my Maryland constituents, H.R. 497 will facilitate the proposed merger of GHMSI with Blue Cross and Blue Shield of Maryland. A recent letter of intent announced the plan to combine the business operations of the two entities under a single holding company.



This combination of business operations will provide a larger provider network—offering greater portability and choice, broader product options, and improved customer service to residents of the District of Columbia, northern Virginia, and Maryland who work in one area and reside in another.

I urge all of my colleagues to support this bill which will enable GHMSI to face the abundant challenges of the fast-changing health care marketplace and to compete and serve its customers on a fair and equal footing.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Virginia. Mr. Speaker, I urge the passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore [Mr. SHAYS]. The question is on the motion offered by the gentleman from Virginia [Mr. DAVIS] that the House suspend the rules and pass the bill, H.R. 479.

The question was taken.

Mr. DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 479, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule 1, the Chair will now resume proceedings on approval of the Journal and put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained, and then on the motion to suspend the rules postponed from Tuesday, February 25, 1997.

Votes will be taken in the following order:

Approval of the Journal de novo; H.R. 624, by the yeas and nays; H.R. 497, by the yeas and nays; H.R. 668 by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DAVIS of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 378, nays 36, not voting 18, as follows:

[Roll No. 24]

YEAS—378

Ackerman	Cramer	Hansen
Aderholt	Crapo	Harman
Allen	Cubin	Hastert
Andrews	Cummings	Hastings (WA)
Archer	Cunningham	Hayworth
Armey	Davis (FL)	Hefner
Bachus	Davis (IL)	Herger
Baessler	Davis (VA)	Hill
Baker	Deal	Hilleary
Baldacci	DeGette	Hinchey
Ballenger	Delahunt	Hinojosa
Barcia	DeLauro	Hobson
Barr	DeLay	Hoekstra
Barrett (NE)	Dellums	Holden
Barrett (WI)	Deutsch	Hooley
Bartlett	Diaz-Balart	Horn
Barton	Dickey	Houghton
Bass	Dicks	Hoyer
Bateman	Dingell	Hulshof
Becerra	Dixon	Hunter
Bentsen	Doggett	Hutchinson
Bereuter	Dooley	Hyde
Berman	Doyle	Inglis
Berry	Dreier	Istook
Bilbray	Duncan	Jackson (IL)
Bishop	Dunn	Jackson-Lee
Blagojevich	Edwards	(TX)
Bliley	Ehlers	Jefferson
Blumenauer	Ehrlich	Jenkins
Blunt	Emerson	John
Boehert	Eshoo	Johnson (CT)
Boehner	Etheridge	Johnson (WI)
Bonilla	Evans	Johnson, E. B.
Bonior	Everett	Johnson, Sam
Bono	Ewing	Jones
Boswell	Farr	Kanjorski
Boucher	Fattah	Kasich
Boyd	Fawell	Kelly
Brady	Flake	Kennedy (MA)
Brown (FL)	Foglietta	Kennedy (RI)
Brown (OH)	Foley	Kennelly
Bryant	Forbes	Kildee
Bunning	Ford	Kilpatrick
Burr	Fowler	Kim
Burton	Fox	Kind (WI)
Callahan	Frank (MA)	King (NY)
Calvert	Franks (NJ)	Kingston
Camp	Frelinghuysen	Klecza
Campbell	Frost	Klink
Canady	Furse	Klug
Cannon	Gallely	Knollenberg
Capps	Ganske	Kolbe
Cardin	Gejdenson	LaFalce
Castle	Gekas	LaHood
Chabot	Gibbons	Lampson
Chambliss	Gilchrest	Latham
Christensen	Gilman	LaTourette
Clayton	Gonzalez	Lazio
Clement	Goode	Leach
Coble	Goodlatte	Levin
Coburn	Goodling	Lewis (CA)
Collins	Gordon	Lewis (KY)
Combest	Goss	Lipinski
Condit	Graham	Livingston
Conyers	Granger	LoBiondo
Cook	Green	Lofgren
Cooksey	Greenwood	Lowe
Costello	Hall (OH)	Lucas
Cox	Hall (TX)	Luther
Coyne	Hamilton	Maloney (CT)

Maloney (NY)	Pelosi	Smith (MI)
Manton	Peterson (MN)	Smith (NJ)
Manzullo	Peterson (PA)	Smith (TX)
Markey	Petri	Smith, Adam
Martinez	Pickering	Smith, Linda
Mascara	Pitts	Snowbarger
Matsui	Pomeroy	Snyder
McCarthy (NY)	Porter	Solomon
McCollum	Portman	Souder
McCrery	Poshard	Spence
McDade	Price (NC)	Spratt
McDermott	Pryce (OH)	Stabenow
McGovern	Quinn	Stark
McHale	Radanovich	Stenholm
McHugh	Rahall	Stokes
McInnis	Rangel	Strickland
McIntosh	Regula	Stump
McIntyre	Riggs	Stupak
McKeon	Riley	Sununu
McKinney	Rivers	Talent
McNulty	Roemer	Tanner
Meehan	Rogan	Tauscher
Meek	Rogers	Tauzin
Metcalfe	Rohrabacher	Taylor (NC)
Mica	Ros-Lehtinen	Thomas
Miller (FL)	Rothman	Thornberry
Minge	Roukema	Thune
Mink	Roybal-Allard	Thurman
Moakley	Royce	Tiahrt
Mollinari	Ryun	Tierney
Mollohan	Salmon	Torres
Moran (KS)	Sanchez	Townes
Moran (VA)	Sanders	Traficant
Murtha	Sandlin	Turner
Myrick	Sanford	Upton
Nadler	Sawyer	Velázquez
Neal	Saxton	Vento
Nethercutt	Scarborough	Walsh
Neumann	Schaefer, Dan	Wamp
Ney	Schaffer, Bob	Watkins
Northup	Schiff	Watt (NC)
Norwood	Schumer	Watts (OK)
Nussle	Scott	Waxman
Obey	Sensenbrenner	Weldon (FL)
Olver	Serrano	Weldon (PA)
Ortiz	Sessions	Wexler
Owens	Shadegg	Weygand
Oxley	Shaw	Whitfield
Packard	Shays	Wicker
Pallone	Sherman	Wise
Pappas	Shimkus	Wolf
Parker	Shuster	Woolsey
Pastor	Sisisky	Wynn
Paul	Skaggs	Young (AK)
Paxon	Skeen	Young (FL)
Payne	Skelton	
Pease	Slaughter	

NAYS—36

Abercrombie	Gutierrez	Pickett
Borski	Gutknecht	Pombo
Brown (CA)	Hastings (FL)	Ramstad
Chenoweth	Hefley	Rush
Clyburn	Hilliard	Sabo
Crane	Kucinich	Stearns
DeFazio	Lewis (GA)	Thompson
English	Menendez	Visclosky
Ensign	Millender	Waters
Fazio	McDonald	Weller
Filner	Miller (CA)	Yates
Gephardt	Oberstar	
Gillmor	Pascarell	

NOT VOTING—18

Billakis	Engel	McCarthy (MO)
Buyer	Hostettler	Morella
Carson	Kaptur	Reyes
Clay	Lantos	Smith (OR)
Danner	Largent	Taylor (MS)
Doolittle	Linder	White

Mr. HILLIARD, and Mr. RUSH changed their vote from "yea" to "nay."

Mr. DELAHUNT changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore [Mr. SHAYS]. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

## ARMORED CAR RECIPROCITY AMENDMENTS OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 624.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana [Mr. TAUZIN] that the House suspend the rules and pass the bill, H.R. 624, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 16, as follows:

[Roll No. 25]

YEAS—416

Abercrombie	Canady	Emerson
Ackerman	Cannon	English
Aderholt	Capps	Ensign
Allen	Cardin	Eshoo
Andrews	Castle	Etheridge
Archer	Chabot	Evans
Armey	Chambliss	Everett
Bachus	Chenoweth	Ewing
Baerler	Christensen	Farr
Baker	Clayton	Fattah
Baldacci	Clement	Fawell
Ballenger	Clyburn	Fazio
Barcia	Coble	Filner
Barr	Coburn	Flake
Barrett (NE)	Collins	Foglietta
Barrett (WI)	Combest	Foley
Bartlett	Condit	Forbes
Barton	Conyers	Ford
Bass	Cook	Fowler
Bateman	Costello	Fox
Becerra	Cox	Frank (MA)
Bentsen	Coyne	Franks (NJ)
Bereuter	Cramer	Frelinghuysen
Berman	Crane	Frost
Berry	Crapo	Furse
Bilbray	Cubin	Gallely
Bilirakis	Cummings	Ganske
Bishop	Cunningham	Gedden
Blagojevich	Davis (FL)	Gekas
Bliley	Davis (IL)	Gephardt
Blumenauer	Davis (VA)	Gibbons
Blunt	Deal	Gilchrest
Boehrlert	DeFazio	Gillmor
Boehner	DeGette	Gilman
Bonilla	DeLauro	Gonzalez
Bonior	DeLay	Goode
Borski	Dellums	Goodlatte
Boswell	Deutsch	Goodling
Boucher	Diaz-Balart	Gordon
Boyd	Dickey	Goss
Brady	Dicks	Graham
Brown (CA)	Dingell	Granger
Brown (FL)	Dixon	Green
Brown (OH)	Doggett	Greenwood
Bryant	Dooley	Gutierrez
Bunning	Doyle	Gutknecht
Burr	Dreier	Hall (OH)
Burton	Duncan	Hall (TX)
Buyer	Dunn	Hamilton
Callahan	Edwards	Hansen
Calvert	Ehlers	Harman
Camp	Ehrlich	Hastert
Campbell		Hastings (FL)

Hastings (WA)	McHugh	Sanford
Hayworth	McIntosh	Sawyer
Hefley	McIntyre	Saxton
Hefner	McKeon	Scarborough
Herger	McKinney	Schaefer, Dan
Hill	McNulty	Schaffer, Bob
Hilleary	Meehan	Schiff
Hilliard	Meek	Schumer
Hinchey	Menendez	Scott
Hinojosa	Metcalfe	Sensenbrenner
Hobson	Mica	Serrano
Hoekstra	Millender	Sessions
Holden	McDonald	Shadegg
Hooley	Miller (CA)	Shaw
Horn	Miller (FL)	Shays
Hostettler	Minge	Sherman
Houghton	Mink	Shimkus
Hoyer	Moakley	Shuster
Hulshof	Molinar	Sisk
Hunter	Mollohan	Sisk
Hutchinson	Moran (KS)	Skaggs
Hyde	Moran (VA)	Skeen
Inglis	Murtha	Skelton
Istook	Myrick	Slaughter
Jackson (IL)	Nadler	Smith (MI)
Jackson-Lee	Neal	Smith (NJ)
(TX)	Nethercutt	Smith (TX)
Jefferson	Neumann	Smith, Adam
Jenkins	Ney	Smith, Linda
John	Northup	Snowberger
Johnson (CT)	Norwood	Snyder
Johnson (WI)	Nussle	Solomon
Johnson, E. B.	Oberstar	Souder
Johnson, Sam	Obey	Spence
Jones	Oliver	Spratt
Kanjorski	Ortiz	Stabenow
Kasich	Owens	Stark
Kelly	Oxley	Stearns
Kennedy (MA)	Packard	Stenholm
Kennedy (RI)	Pallone	Stokes
Kennelly	Pappas	Strickland
Kildee	Parker	Stump
Kilpatrick	Pascarella	Stupak
Kim	Pastor	Sununu
Kind (WI)	Paul	Talent
King (NY)	Paxon	Tanner
Kingston	Payne	Tauscher
Klecka	Pease	Tauzin
Klink	Pelosi	Taylor (NC)
Klug	Peterson (MN)	Thomas
Knollenberg	Peterson (PA)	Thompson
Kolbe	Petri	Thornberry
Kucinich	Pickering	Thune
LaFalce	Pickett	Thurman
LaHood	Pitts	Tiahrt
Lampson	Pombo	Tierney
Largent	Pomeroy	Torres
Latham	Porter	Towns
Lazio	Portman	Traficant
Leach	Poshord	Turner
Levin	Price (NC)	Upton
Lewis (CA)	Pryce (OH)	Velázquez
Lewis (GA)	Quinn	Vento
Lewis (KY)	Radanovich	Visclosky
Linder	Rahall	Walsh
Lipinski	Ramstad	Wamp
Livingston	Rangel	Waters
LoBiondo	Regula	Watkins
Lofgren	Riggs	Watt (NC)
Lowe	Riley	Watts (OK)
Lucas	Rivers	Waxman
Luther	Roemer	Weldon (FL)
Maloney (CT)	Rogan	Weldon (PA)
Maloney (NY)	Rogers	Weller
Manton	Rohrabacher	Wexler
Manzullo	Ros-Lehtinen	Weyand
Markley	Rothman	White
Martinez	Roukema	Whitfield
Mascara	Roybal-Allard	Wicker
Matsui	Royce	Wise
McCarthy (NY)	Rush	Wolf
McCollum	Ryun	Woolsey
McCrery	Sabo	Wynn
McDade	Salmon	Yates
McDermott	Sanchez	Young (AK)
McGovern	Sanders	Young (FL)
McHale	Sandlin	

## NOT VOTING—16

Bono	Engel	Morella
Carson	Kaptur	Reyes
Clay	Lantos	Smith (OR)
Cooksey	LaTourette	Taylor (MS)
Danner	McCarthy (MO)	
Doolittle	McInnis	

□ 1228

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, During rollcall vote No.'s 24 and 25 on the Journal and H.R. 624, I was unavoidably detained in transit. Had I been present I would have voted "yea" on both.

## REPEALING FEDERAL CHARTER OF GROUP HOSPITALIZATION AND MEDICAL SERVICES, INC.

The SPEAKER pro tempore. [Mr. SHAYS]. The pending business is the question of suspending the rules and passing the bill, H.R. 497.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. DAVIS] that the House suspend the rules and pass the bill, H.R. 497, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 26]

YEAS—417

Abercrombie	Brown (OH)	DeGette
Ackerman	Bryant	DeLauro
Aderholt	Bunning	DeLay
Allen	Burr	Dellums
Andrews	Burton	Deutsch
Archer	Buyer	Diaz-Balart
Armey	Callahan	Dickey
Bachus	Calvert	Dicks
Baerler	Camp	Dingell
Baker	Campbell	Dixon
Baldacci	Canady	Doggett
Ballenger	Cannon	Dooley
Barcia	Capps	Doyle
Barr	Cardin	Dreier
Barrett (NE)	Castle	Duncan
Barrett (WI)	Chabot	Dunn
Bartlett	Chambliss	Edwards
Barton	Chenoweth	Ehlers
Bass	Christensen	Ehrlich
Bateman	Clayton	Emerson
Becerra	Clement	English
Bentsen	Clyburn	Ensign
Bereuter	Coble	Etheridge
Berman	Coburn	Evans
Berry	Collins	Everett
Bilbray	Combest	Ewing
Bilirakis	Condit	Farr
Bishop	Conyers	Fattah
Blagojevich	Cook	Fawell
Bliley	Cooksey	Fazio
Blumenauer	Costello	Filner
Blunt	Cox	Flake
Boehrlert	Coyne	Foglietta
Boehner	Cramer	Forbes
Bonilla	Crane	Ford
Bonior	Crapo	Fowler
Bono	Cubin	Fox
Borski	Cummings	Frank (MA)
Boswell	Cunningham	Franks (NJ)
Boucher	Davis (FL)	Frelinghuysen
Boyd	Davis (IL)	Frost
Brady	Davis (VA)	Furse
Brown (CA)	Deal	Gallely
Brown (FL)	DeFazio	



Ganske	Lucas	Roukema
Geldenson	Luther	Roybal-Allard
Gekas	Maloney (CT)	Royce
Gephardt	Maloney (NY)	Rush
Gibbons	Manton	Ryun
Gilchrest	Manzullo	Sabo
Gillmor	Markey	Salmon
Gilman	Martinez	Sanchez
Gonzalez	Mascara	Sanders
Goode	Matsui	Sandlin
Goodlatte	McCarthy (MO)	Sanford
Goodling	McCarthy (NY)	Sawyer
Gordon	McCollum	Saxton
Goss	McCrery	Scarborough
Graham	McDade	Schaefer, Dan
Granger	McDermott	Schaffer, Bob
Green	McGovern	Schiff
Greenwood	McHale	Schumer
Gutierrez	McHugh	Scott
Gutknecht	McInnis	Sensenbrenner
Hall (OH)	McIntosh	Serrano
Hall (TX)	McIntyre	Sessions
Hamilton	McKeon	Shadegg
Hansen	McKinney	Shaw
Harman	McNulty	Shays
Hastert	Meehan	Sherman
Hastings (FL)	Meek	Shimkus
Hastings (WA)	Menendez	Shuster
Hayworth	Metcalf	Sisisky
Hefley	Mica	Skaggs
Hefner	Millender-	Skeen
Henger	McDonald	Skelton
Hill	Miller (CA)	Slaughter
Hilleary	Miller (FL)	Smith (NJ)
Hilliard	Minge	Smith (TX)
Hinchey	Mink	Smith, Adam
Hinojosa	Moakley	Smith, Linda
Hobson	Molinari	Snyder
Holden	Mollohan	Solomon
Hookey	Moran (KS)	Spence
Horn	Moran (VA)	Spratt
Hostettler	Murtha	Stabenow
Houghton	Myrick	Stark
Hoyer	Nadler	Stenholm
Hulshof	Neal	Stokes
Hunter	Nethercutt	Strickland
Hyde	Neumann	Stump
Inglis	Ney	Stupak
Istook	Northup	Sununu
Jackson (IL)	Nussle	Talent
Jackson-Lee	Oberstar	Tanner
(TX)	Obey	Tauscher
Jefferson	Oliver	Tauzin
Jenkins	Ortiz	Taylor (MS)
John	Owens	Taylor (NC)
Johnson (CT)	Oxley	Thomas
Johnson (WI)	Packard	Thompson
Johnson, E. B.	Pallone	Thornberry
Johnson, Sam	Pappas	Thune
Kanjorski	Parker	Thurman
Kasich	Pascarell	Tiahrt
Kelly	Pastor	Tierney
Kennedy (MA)	Paul	Torres
Kennedy (RI)	Paxon	Towns
Kennelly	Payne	Traffant
Kildee	Pease	Turner
Kilpatrick	Pelosi	Upton
Kim	Peterson (MN)	Velázquez
Kind (WI)	Peterson (PA)	Vento
King (NY)	Petri	Visclosky
Kingston	Pickering	Walsh
Kleczka	Pickett	Wamp
Klink	Pitts	Waters
Klug	Pombo	Watkins
Knollenberg	Pomeroy	Watt (NC)
Kolbe	Porter	Watts (OK)
Kucinich	Portman	Waxman
LaFalce	Poshard	Weldon (FL)
LaHood	Price (NC)	Weldon (PA)
Lampson	Pryce (OH)	Weller
Largent	Quinn	Wexler
Latham	Radanovich	Weygand
LaTourette	Rahall	White
Lazio	Ramstad	Whitfield
Leach	Rangel	Wicker
Levin	Regula	Wise
Lewis (CA)	Riggs	Wolf
Lewis (GA)	Rivers	Woolsey
Lewis (KY)	Ros-Lehtinen	Wynn
Linder	Rothman	Yates
Lipinski	Rogan	
Livingston	Rogers	
LoBlundo	Rohrabacher	
Lofgren	Ros-Lehtinen	
Lowey	Rothman	

## NOT VOTING—15

Carson	Eshoo	Lantos
Clay	Foley	Morella
Danner	Hoekstra	Reyes
Doolittle	Hutchinson	Smith (MI)
Engel	Kaptur	Smith (OR)

□ 1238

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### AIRPORT AND AIRWAY TRUST FUND TAX REINSTATEMENT ACT OF 1997

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 668.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ARCHER] that the House suspend the rules and pass the bill, H.R. 668, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 73, not voting 12, as follows:

[Roll No. 27]

YEAS—347

Abercrombie	Camp	Evans
Ackerman	Campbell	Everett
Allen	Canady	Ewing
Archer	Capps	Farr
Armey	Cardin	Fattah
Bachus	Castle	Fawell
Baessler	Chambliss	Fazio
Baker	Christensen	Finer
Baldacci	Clayton	Flake
Ballenger	Clement	Foglietta
Barcia	Clyburn	Foley
Barrett (NE)	Coble	Ford
Barrett (WI)	Collins	Fowler
Bartlett	Combest	Fox
Barton	Conyers	Frank (MA)
Bass	Cook	Franks (NJ)
Bateman	Costello	Frelinghuysen
Becerra	Coyne	Frost
Bentsen	Cramer	Furse
Bereuter	Crane	Gallely
Berman	Cummings	Ganske
Berry	Cunningham	Geldenson
Bilbray	Davis (FL)	Gekas
Bilirakis	Davis (IL)	Gephardt
Bishop	Davis (VA)	Gilchrest
Blagojevich	DeFazio	Gillmor
Bliley	DeGette	Gonzalez
Blumenauer	Delahunt	Goode
Blunt	DeLauro	Goodlatte
Boehert	DeLay	Goodling
Boehner	Dellums	Gordon
Bonilla	Deutsch	Goss
Bonior	Diaz-Balart	Granger
Bono	Dicks	Green
Borski	Dixon	Greenwood
Boswell	Doggett	Gutierrez
Boucher	Dooley	Gutknecht
Boyd	Doyle	Hall (OH)
Brady	Duncan	Hall (TX)
Brown (CA)	Dunn	Hamilton
Brown (FL)	Edwards	Hansen
Brown (OH)	Ehlers	Harman
Bryant	Ehrlich	Hastert
Bunning	Emerson	Hastings (FL)
Burr	English	Hastings (WA)
Buyer	Ensign	Hayworth
Callahan	Eshoo	Hefner
Calvert	Etheridge	Henger

Hinojosa	McHale	Sabo
Hobson	McHugh	Sanders
Holden	McInnis	Sandlin
Hookey	McIntyre	Sawyer
Horn	McKeon	Saxton
Houghton	McKinney	Schumer
Hoyer	McNulty	Scott
Hulshof	Meehan	Serrano
Hutchinson	Meek	Sessions
Hyde	Menendez	Shaw
Inglis	Metcalf	Shays
Istook	Millender-	Sherman
Jackson (IL)	McDonald	Shuster
Jackson-Lee	Miller (CA)	Sisisky
(TX)	Miller (FL)	Skaggs
Jefferson	Minge	Skeen
Jenkins	Mink	Skelton
John	Moakley	Slaughter
Johnson (CT)	Molinari	Smith (NJ)
Johnson (WI)	Mollohan	Smith (TX)
Johnson, E. B.	Moran (KS)	Smith, Adam
Johnson, Sam	Moran (VA)	Smith, Linda
Kanjorski	Morella	Snyder
Kelly	Murtha	Solomon
Kennedy (MA)	Nadler	Spence
Kennedy (RI)	Neal	Spratt
Kennelly	Nethercutt	Stabenow
Kildee	Ney	Stark
Kilpatrick	Northup	Stenholm
Kim	Nussle	Stokes
Kind (WI)	Oberstar	Strickland
King (NY)	Obey	Stupak
Kleczka	Oliver	Sununu
Klink	Ortiz	Tanner
Knollenberg	Owens	Tauscher
Kolbe	Oxley	Thomas
LaFalce	Packard	Thompson
LaHood	Pallone	Thune
Lampson	Pascarell	Thurman
Latham	Pastor	Tierney
LaTourette	Paxon	Torres
Lazio	Payne	Towns
Leach	Pease	Traffant
Levin	Pelosi	Turner
Lewis (CA)	Peterson (MN)	Velázquez
Lewis (GA)	Peterson (PA)	Vento
Lewis (KY)	Petri	Visclosky
Linder	Pickett	Walsh
Lipinski	Pitts	Wamp
Livingston	Pomeroy	Waters
LoBlundo	Porter	Watkins
Lofgren	Portman	Watt (NC)
Lowey	Poshard	Watts (OK)
	Price (NC)	Waxman
	Pryce (OH)	Weldon (FL)
	Quinn	Weldon (PA)
	Radanovich	Weller
	Rahall	Wexler
	Ramstad	Weygand
	Rangel	White
	Regula	Whitfield
	Riggs	Wicker
	Rivers	Wise
	Ros-Lehtinen	Wolf
	Rothman	Woolsey
	Roukema	Wynn
	Roybal-Allard	Yates
	Rush	

NAYS—73

Aderholt	Hilliard	Rogan
Andrews	Hoekstra	Rohrabacher
Barr	Hostettler	Royce
Burton	Hunter	Ryun
Cannon	Jones	Salmon
Chabot	Kasich	Sanchez
Chenoweth	Kingston	Sanford
Coburn	Klug	Scarborough
Condit	Kucinich	Schaefer, Dan
Cooksey	Largent	Schaffer, Bob
Crapo	Maloney (CT)	Schiff
Cubin	McIntosh	Sensenbrenner
Deal	Mica	Shadegg
Dickey	Myrick	Shimkus
Dreier	Neumann	Snowbarger
Forbes	Norwood	Souder
Gibbons	Pappas	Stearns
Gilman	Parker	Stump
Graham	Paul	Talent
Hall (TX)	Pickering	Tauzin
Hefley	Pombo	Taylor (MS)
Hill	Riley	
Hilleary	Roemer	

Taylor (NC)	Tlahrt	Young (AK)
Thornberry	Upton	Young (FL)

## NOT VOTING—12

Carson	Dingell	Lantos
Clay	Doolittle	Reyes
Cox	Engel	Smith (MI)
Danner	Kaptur	Smith (OR)

□ 1251

The Clerk announced the following pair:

On this vote:

Ms. Danner for, with Mr. Smith of Michigan against.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I announce that I was necessarily absent from roll call votes 24, 25, 26, and 27. On roll call vote No. 24, I would have voted "aye." On roll call vote No. 25, I would have voted "aye." On roll call vote No. 26, I would have voted "aye." On roll call vote No. 27, I would have voted "aye."

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1.

The SPEAKER pro tempore [Mr. SHAYS]. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

## ELECTION OF MEMBERS TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. PAPPAS. Mr. Speaker, I offer a resolution (H. Res. 78) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That the following named Members be, and they are hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Fox of Pennsylvania; Mr. Davis of Virginia; Mr. LoBiondo; and Mr. Watts of Oklahoma.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## "SCHINDLER'S LIST"

(Mr. LAMPSON asked and was given permission to address the House for 1 minute.)

Mr. LAMPSON. Mr. Speaker, while noting the misplaced outrage of other Members of this body, I would like to express my admiration and thanks to NBC and to Ford for airing "Schindler's List" this weekend. I would like to thank the filmmaker, Steven Spielberg, not only for his brilliant film but also for his recommendation, broadcast before the film began Sunday evening, that the film may not be suitable for young children. Perhaps my colleague from Oklahoma was still at the refrigerator at that time.

I watched "Schindler's List" alongside my daughter and found it as moving a film as I have ever seen. Any allegation that any aspect of this story is gratuitous or improper would be laughable if it were not so sad. Our own great Nation is still plagued by hate crimes 221 years after being founded as a nation of freedom and equality. We watch with horror as churches and synagogues are burned and cemeteries are desecrated in our communities.

Mr. Speaker, the best way to fight hatred and intolerance is with truth about the most egregious crime against humanity in modern history, the Holocaust.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## TRIBUTE TO THE TOWNSHIP OF CRANBURY, NJ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PAPPAS] is recognized for 5 minutes.

Mr. PAPPAS. Mr. Speaker, this year a community in my district, one of the oldest towns in the State of New Jersey, Cranbury Township, celebrates its tercentennial, 300 years since the time that it was founded.

Cranbury certainly looks different than it did back in 1697 but its residents have done a remarkable job in maintaining its historic qualities. While it has adapted to changing times, it has held firm to its roots.

Cranbury is a model of what many towns strive to be and what many people look for in a community. It is the kind of town that you read about, a place where people say hello on the street and look after each other.

□ 1300

Many people probably remember the theme song to the popular television show "Cheers." There is a line in the song that epitomizes what it is like to live in Cranbury. It is a place where everybody knows your name.

One drive down Main Street is all it takes to take hold of the hearts of the

visitors. It reveals distinct beauty and history that makes the town the subject of pride for its residents and an unforgettable memory for visitors. As you walk down the street, you cannot help but get nostalgic.

Main Street itself is literally layered deep in American history. This modern-day paved road that runs through the center of the town was once an Indian trail, then a stagecoach road, and then a road partially covered with stone cinders and then laid with gravel.

Main Street was also where, on June 26, 1887, General George Washington stopped with his troops and established a temporary headquarters to lay out the plans that led to the Battle of Monmouth during the American Revolution.

As residents and visitors drive or stroll down Main Street, they cannot miss one of the town's principal attractions, Brainerd Lake. There is a colonial house right next to the lake that is so picturesque and tranquil that I am told at least once a week a visitor offers to buy it. Looking at that house by the lake makes you think that for many people this is the American dream come true.

Beyond its recreational uses and its sheer beauty, the brook off the lake has been used as a source of power and business since the mid-1700's. It provided power to a grist mill, a saw mill, and even ice harvesting.

Cranbury Township is more than a lake or a Main Street, it is America. The tercentennial celebration, which has been led by Betty Wagner, recognizes much more than the town's mere existence, the landmarks, and history. As we pause to pay tribute and recall the past of this community, we look forward to its future.

In 1980, the National Park Service recognized the historic, cultural, and architectural importance of Cranbury by listing the Cranbury Historic District in the National Register of Historic Places. The town's 18th and 19th century architecture has been maintained and can still be seen in its buildings and homes.

I would like to recognize the efforts of Mayor Alan Danser and the township committee, the tercentennial committee, the Cranbury Historical Preservation Society, and all the residents of Cranbury who have played a role in this year's celebration.

As the people of Cranbury look back on all that has occurred during the past 300 years, they stand at the crossroads between the past and the future, steadfast in their commitment to preserving the landmarks and values in the finest tradition of our country. It is in these values of the past that we find the many solutions for the future.

In conclusion, the people of Cranbury have made an investment in the future by preserving the past. Not only do they share their history, their landmarks, and their stories but they share



their values. In these days of the Internet, fax machines, and teleconferencing, it is reassuring to know that America still has places like Cranbury that people can call home.

#### PARTIAL-BIRTH ABORTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. CANADY] is recognized for 5 minutes.

Mr. CANADY of Florida. Mr. Speaker, in partial-birth abortion, the abortionist forcibly turns a child into the breach position, pulls the living child by the leg out of the mother until only the head is left inside, stabs the child in the base of the skull, and removes the child's brain, then pulls the now dead child out of the mother.

This is a horrible procedure to describe, but it is a procedure which is being performed in this country today, and it is now a matter of public record that this type of abortion is performed at least several thousand times per year in the United States, primarily in the fifth and sixth months of pregnancy; that is, the second trimester, although sometimes in the third trimester, and mainly on healthy babies of healthy mothers.

The press and abortion advocates are finally beginning to admit the truth about this horrible procedure. The New York Times this morning reported that an abortion rights advocate admitted that he lied about partial-birth abortion just as Planned Parenthood, the National Abortion Federation, and the National Abortion Rights Action League claim that partial-birth abortion is a rare procedure used only under narrow circumstances such as when a mother's life or future fertility is threatened.

Ron Fitzsimmons, the executive director of the National Coalition of Abortion Providers, says that he intentionally lied through his teeth, and I quote him, when he repeated these claims to a Nightline camera. He said he was physically ill after the episode and told his wife that he could not do it again.

The New York Times reported that Mr. Fitzsimmons says the procedure is performed far more often than his colleagues have acknowledged and on healthy women bearing healthy fetuses. The abortion rights folks know it, he said.

The Times took some of its information from an American Medical News article in which Mr. Fitzsimmons was interviewed. Fitzsimmons told the American Medical News that proabortion spokespersons should drop their spins and half-truths. He explained that the disinformation has hurt the abortionist he represents and said, "When you're a doctor who does these abortions and the leaders of your movement appear before Congress and

go on network news and say these procedures are done in only the most tragic of circumstances, how do you think it makes you feel? You know they're primarily done on healthy women and healthy fetuses, and it makes you feel like a dirty little abortionist with a dirty little secret."

Based on the false claims of abortion advocates, a so-called compromise to a partial-birth abortion ban is being offered by Senator DASCHLE and President Clinton. The truth of the matter is, it is no compromise at all. In truth, it is irrelevant to partial-birth abortions.

The so-called compromise would ban partial-birth abortions performed in the third trimester except when they are necessary to preserve the life or the health of the mother, but the vast majority of partial-birth abortions are performed in the second trimester.

With regard to third trimester abortions, the bill's health exception effectively permits all abortions. The Supreme Court interprets health abortions to include all those related to social, psychological, financial, or emotional concerns.

The truth is, partial-birth abortion is never necessary. Hundreds of physicians and fetal maternal specialists along with former Surgeon General Koop have come forward to unequivocally state that partial-birth abortion is never necessary to preserve a mother's life or health or to preserve her future fertility. In fact, the procedure can significantly threaten a mother's health or ability to carry future children to term. Abortion advocates should stop trying to deceive the public with their phony ban.

In the American Medical News article, Mr. Fitzsimmons said the pro-choice movement has lost a lot of credibility during this debate not just with the general public but with our pro-choice friends in Congress. I think we should tell them the truth, let them vote, and move on.

Mr. Speaker, he is right. Abortion advocates should tell the truth about partial-birth abortion, Congress should vote to ban this horrible procedure, the President should sign the ban, and we should move on.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 1

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor on House Joint Resolution 1. It was placed there accidentally, and I ask that it be removed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, the politics of loopholes has angered the general public. We need to stop procrastinating about changes that need to be made in our campaign financing. There are some large loopholes you could run a truck through without violating the law. If we can't agree on all the changes and reforms that are on the table for discussion, at the very least we can close the loopholes.

Today, candidates for Federal office may obtain unlimited, unsecured loans from banks to finance their campaigns. Banks are able to bankroll their chosen candidates by obtaining a mere signature on a loan form without obtaining security for repayment, as is customary in their normal course of business.

I call upon this House to investigate how many unpaid, unsecured loans there are to Federal candidates.

When do these unpaid loans, secured by no assets, become an illegal contribution by a bank?

If a bank is not permitted by law to make a contribution to a Federal candidate, how is it allowed to make an unsecured loan? And what happens when this loan is not repaid? Who gets stuck? All the bank's depositors?

I have introduced a bill, H.R. 783, that prohibits all Federal candidates from making an unsecured loan.

This bill also requires that such unsecured loan be repaid within 90 days after the enactment of the bill, and in the interim, prohibits candidates who currently have an unsecured loan from accepting personal funds from a board member or officer of the bank who holds the loan.

I urge my colleagues to join me in closing at least the one obvious loophole in the law.

In Hawaii the Hawaii State Legislature is concerned about the same thing. The senate bill introduced by Senator Matt Matsunaga, provides that all loans must be repaid by that general election day and if not, the unpaid portion becomes an illegal contribution.

I agree that his bill is a step in the right direction, but it does not go far enough as noted by the Honolulu Adviser.

Let's close the temptation, totally. Let's not allow banks to bankroll any election with hundreds of thousands of dollars even if it is repaid by election day. The ability of banks, using depositors' money, to advance moneys to a candidate is wrong and invites corruption. This practice must be outlawed. My bill, H.R. 783, does that. I urge my colleagues to cosponsor this necessary first step.

□ 1315

#### FALSE BOMB THREAT PENALTY ACT OF 1997

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mrs. KENNEDY] is recognized for 5 minutes.

Mrs. KENNEDY of Connecticut. Mr. Speaker, I rise today to talk about legislation that I plan to introduce later

this afternoon. This legislation is titled "False Bomb Threat Penalty Act of 1997."

Unfortunately, in this day and age, we are concerned about bombings. We have a situation now in the State of Georgia that is causing great concern because there have been incidences of bombing. We have to take those situations very, very seriously.

I am introducing a piece of legislation that has to do with what we have to worry about in everyday life all across these United States, and this is the fact that there are false bomb threats. This legislation that I am going to introduce will institute a mandatory minimum penalty of 1 year for anyone willfully making a false bomb threat.

Current law allows a sentence of up to 10 years or a fine if one does this, or both, for placing a false bomb threat, but I believe we must institute a more stringent penalty for the commission of this crime. A clear message must be sent that we will no longer tolerate actions like false bomb threats which can cause injury to property and to life.

One constant concern about false bomb threats is that injuries can occur when individuals, often in panic, evacuate a building or a home. Another concern, one that I am very concerned about and have seen this type of action happen, is just the opposite of what I have just talked about, and that situation is when repeated bomb threats happen, we can have the situation of apathy. If this occurs, people may not evacuate and serious injury or death can occur if a bomb does exist, and this has to do with the very basic tenets of public safety.

This crime should not be tolerated, and I believe it is important to send a clear message to individuals who engage in making a false bomb threat that there will be repercussions for their actions.

We must continue our efforts to remain tough on crime. We read that by being tough on crime we are seeing the statistics go down, we are seeing everyday life being made better, and we have to work continually. We as lawmakers have to be very sure that we are involved constantly in making sure that we have the most secure environment for the people in these United States. Something as basic as this type of situation should not be tolerated and this legislation would make it known that one cannot in fact take advantage of others and make false bomb threats.

#### REAL HISTORY TEACHES REAL LESSONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I rise today to discuss a topic that is being

debated today in our media regarding the NBC airing of "Schindler's List" on Sunday night.

One of my colleagues has taken offense to the airing of the show because it depicted nudity and violence on TV where our children would watch. I deeply respect my colleague and his point of view, but I have to stand today and first and foremost congratulate NBC News for airing uninterrupted a 3 1/2-hour movie of one of the worst tragedies in our global history.

I must also add that the rating system voluntarily initiated by TV broadcasters was used that night. I must also reiterate that Steven Spielberg, creator of the movie, came on with a personal appeal to allow parents to know that what they were about to see would be graphic, violent, and they should caution their children against watching this show.

Mr. Speaker, this movie is real. The events of the Holocaust are real. This is not fantasy, this is not Disney World, this is not make believe, this happened to real people. Their possessions were taken from them, their clothing was stolen, their lifelong belongings were stolen, and they were executed and murdered by Nazis.

This was not some rating attempt to boost revenues. Ford Motor Co. paid for the entire production of the show that evening without running a commercial, the first time I can remember networks ever giving up commercial rights during a broadcast.

Superbowl, \$200,000 for a 30-second ad went like that, a full lineup of commercials during Superbowl, made lots of money. NBC News chose to not take revenue, because America and every person on this planet needs to know the truth about the Holocaust, needs to know what happened, needs to see the historical significance of a tragedy that occurred so that they can become sensitive to the issues that confront us in this country.

It is not enough to talk about anti-Semitism and trying to eliminate it in America; you need to know the roots of the problems of why people have been hurt and harmed. We talk about civil rights. We have to understand from a black person's perspective of where we have been in America, where they were denied access to water fountains, where they were made to sit in the back of the bus, where they were treated as second class citizens. It is only through history will our children learn to become sensitive to the things that can change the course of history.

Yes, it was a tragic, tragic show, and I watched it Sunday night myself, and I have seen it before, and I thought as that movie went on and on how these people felt, how they were herded off to their deaths by a demonic creature who was murdering millions of Jews because they were Jews, and we are not supposed to tell that story.

We are not supposed to air it on TV, we are supposed to pretend it did not happen. We are supposed to make up some whole new story and put people in clothes and not show the gunshot wounds to the head. We are supposed to camouflage all of that destructiveness, that evilness, so that we can show people something that is not even a true portrayal.

Then we have calls for government to make mandatory ratings. So 10 or 20 years from now we may never know what happened. We may not know the tragedies that are going on in Cuba today with Fidel Castro in charge because we are not allowed to talk about it. We cannot portray what is really happening in our globe. I am frightened for the children in our society that are not being told the truth.

But the one thing that I feel so great about in this country is when I look at the young people, they are embracing each other, blacks, whites, Hispanics, Catholics, Jews, Protestants, because they believe in order for this world to survive we must be together as one people, regardless of race, color, creed, or ethnicity, one people.

That is my hope for our future in this country, that we will join together in a spirit of democracy and freedom for each and every one of us, regardless of where we were born, what our last name is or what the color of our skin is. But it will not happen if we cannot tell the truth, it will not happen if we cannot tell it like it is.

So for the Government to get in the rating business now and say we are going to have mandatory ratings and take away the historical importance of the show I watched Sunday night and was proud to view simply because it told me something about what happened at that horrible event. So I urge people around America to call and support what NBC showed on Sunday night, because I think that is what America is about, telling the truth.

Mrs. KENNELLY of Connecticut. Mr. Speaker, if the gentleman will yield, I would like to associate myself with the remarks of the gentleman.

#### THE BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, an earlier speaker today referred to the balanced budget amendment that will be on the floor sometime in the near future as being very important for our families, our businesses, the States, and particularly for our families, and I agree with him in that regard that what this vote will be about is very important to the families.

Mr. Speaker, let me ask, what family thinks it makes much sense to say that



you have to pay for your house in 1 year that you cannot mortgage over 20 years. You cannot borrow to buy that house, instead you have to pay for it in 1 year. What business could operate if you told it that it cannot borrow, and it cannot amortize over several years for those expensive buildings or pieces of equipment or whatever, but it must pay for them in one. What State government can operate if you told it that it could not borrow or issue bonds for the roads, the bridges, the infrastructure, the water, the sewer systems, the airports that make it grow?

The reality is that if you went to any business, State, or family and said you have to live by the terms of this balanced budget amendment that this Congress is about to put into the Constitution, they would say, you are crazy, because we all know that we have to borrow for those things that bring longer returns. We have to borrow for the roads, the bridges, we have to borrow for the business equipment, the shell buildings, the industrial parks, and we have to borrow to put our children through school and we have to borrow for our mortgage.

I was attending a meeting recently at Shepard College in West Virginia in which a student talked about why she had borrowed thousands of dollars, receiving financial assistance, and the reason is because she knew that was her future and that thousands of dollars would be repaid countless times over. That is what this is about.

No business, State, or family would voluntarily accept the terms of this balanced budget amendment that will be voted on by this House, because they know they could not operate under it. It is bad enough that the Federal budget currently operates this way. It is even worse that some would think of putting this into the Constitution of the United States. If you are going to put it into the Constitution of the United States to have this kind of requirement, then set it up like businesses and States and families do. And that is, you have capital budgeting. You permit a separate account for the investments in the roads, the bridges, the water, the sewer systems, the airports.

I was delighted to see last night and to receive a call from the White House last night that President Clinton has created a Capital Budgeting Commission. This is similar to legislation that I introduced and a number of my colleagues here in the House cosponsored last year to set up a commission to look at and evaluate capital budgeting for the Federal budget. This makes possible the investments and the infrastructure, the physical infrastructure that are so crucial, and I look forward to seeing whom the President names to this Capital Budgeting Commission and the report that it makes.

Once again, if you are going to have a balanced budget amendment in the

Constitution, at least look at the substitute that I have offered the last two times and will be offering again that would require a capital budget.

Likewise, to take Social Security off budget. The fact is that Social Security runs a \$60 billion surplus this year and has for the last few years. That is \$60 billion more coming in because of Social Security than Social Security is paying out. That money is necessary for the year 2019 and the years thereafter when you do not have as much coming in. So why should that not be off budget, because if you do not take it off budget then it masks the size of the true deficit.

Every one of my colleagues, I dare say, or almost everyone who has been here longer than 6 months, has voted sometime in the past few years, we do it usually about once a year, to take Social Security off budget. We have passed more resolutions and statutes and budget resolutions and budget language saying Social Security is off budget. So if it ought to be off budget, then why should it not be off budget in a constitutional amendment that deals with balancing the budget? None of this will take it off budget in 2005 or something. What happened to it up until the year 2005?

So those are the reasons that many of us oppose the language that will be voted on here today. Indeed, we have been actively involved in balancing the budget. That is why the budget deficit has dropped from \$300 billion to \$107 billion, why it is at the lowest point it has been since 1974, why it is the lowest in the industrial world right now, is because of the deficit reduction efforts that have been made over the past several years on a bipartisan basis. But if we are going to have a balanced budget amendment in the Constitution of the United States, then we are saying we are doing it because we want the Federal budget to be balanced like States balance their budgets, like businesses balance their budgets, like families balance their budgets, then for Pete's sake at least put in the same mechanisms by which States, businesses, and families balance their budgets, and that is to have a capital budget, an investment budget to permit borrowing for those long-term items that give you back far more than you ever pay.

□ 1330

#### DISINFORMATION, MISINFORMATION, AND LACK OF KNOWLEDGE ON THE PART OF EUROPEAN LEADERS REGARDING LEGISLATION OF THE UNITED STATES

The SPEAKER pro tempore [Mr. SHAYS]. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 60 minutes as the designee of the majority leader.

Mr. DIAZ-BALART. Mr. Speaker, last week I had the privilege of being a member of a delegation from our Congress to the European Parliament. Occasionally meetings take place between parliamentarians from Europe and from the United States. As I say, I had the privilege of being part of our delegation, led by the distinguished chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN]. I had the opportunity to meet with parliamentarians and leaders from various capitals of the European Union to delve, to dive into a number of very difficult challenges facing Europe at this moment.

For example, there was the issue of the necessary peace in Northern Ireland, an extraordinarily difficult challenge for the good people of that area, and the amount of learning that I did was truly, I think, interesting on that very complicated issue because of the importance that this issue holds, not only for, obviously, the people of Ireland but for the people of the United States.

Mr. Speaker, what was interesting about every single meeting, what was constant about every single meeting that we had with leaders from different capitals in the European Union, is that with regard to our legislation, the legislation that we in Congress here in the United States adopted a year ago on Cuba, there is a tremendous amount of disinformation, misinformation, lack of knowledge, as I say, Mr. Speaker, that was manifested time and time again in meetings that we held with European leaders from throughout the capitals of the European Union.

It was extraordinary that time and time again, we had to explain to the Europeans that the Cuban Liberty and Democratic Solidarity Act passed by this Congress, commonly referred to as the Helms-Burton legislation, when it sanctions foreigners who traffic in stolen property, property stolen by the Cuban dictator, we had to explain time and time again to European leaders that the legislation deals with and applies to only property stolen from American citizens.

I was flabbergasted at the ignorance demonstrated time and time again by the European leaders on this issue. They talked about what they referred to as the extraterritoriality of our legislation. We would tell them that even though we would have liked to see a ban on investment in the slave economy that Castro in Cuba maintains, we cannot do that, and we did not do that in the legislation we passed a year ago; legislation, by the way, Mr. Speaker, which was exactly 1 year ago today, February 26, endorsed by President Clinton after, 2 days earlier, four American citizens or residents of the United States were cruelly, viciously, unjustifiably murdered over international waters in unarmed civilian

aircraft by the Castro dictatorship, pursuant to the direct and explicit order previously given by the Cuban dictator.

So it was 2 days after that happened, that act of terrorism, which was subsequently found to be an act of terrorism, totally unjustified, unjustifiable by the United Nations, it was 2 days after that act of terrorism by the Cuban dictator that President Clinton endorsed publicly what was then a bill, legislation pending before Congress, and a few days after that, on March 12, 1996, President Clinton signed the legislation into law.

What was amazing, Mr. Speaker, was that in meeting after meeting Europeans did not know, when they would refer to extraterritoriality, that the only extraterritoriality in this debate, the only extraterritorial conduct in this debate is what the Europeans now are seeking to justify, which is that their investors, they say, should have the right to knowingly go into Cuba and traffic in property stolen from American citizens.

That conduct is extraterritorial, Mr. Speaker. That is not conduct that is taking place in Europe. That conduct which they are seeking to defend, that indefensible conduct, is extraterritorial. It is taking place in another hemisphere, in the Western Hemisphere, specifically in the oppressed island of Cuba. That is the only extraterritorial conduct at issue in this debate, the unjustifiable conduct they are trying to defend.

What our law does, what our law says in its immigration chapter, is that if you are a foreigner who knowingly traffics, deals in property stolen from an American citizen, and after having the opportunity to divest from that stolen property you fail to do so, in other words, you knowingly and purposefully, and after having the opportunity to divest do not do so, continue to deal in stolen property from American citizens, that then under our immigration laws you are excluded from the United States.

We have said we do not want people to be admitted to the United States who knowingly deal in stolen property from American citizens. So we had to explain that to Europeans, and we were, as I say, shocked at the amount of ignorance they manifested in meeting after meeting.

But they not only have manifested ignorance on this issue, Mr. Speaker. They have gone so far as to take this issue, this foreign policy decision made by the U.S. Congress and the President of the United States to respond to the acts of terrorism by the Cuban regime, the legislation that was signed into law, they have taken that law and they have challenged it formally, filed a grievance, a suit, if you will, formally against that legislation in a trade organization, in the World Trade Organization.

As Members know, the World Trade Organization was founded, was created in the last round of what is known as or was known as the General Agreement on Tariffs and Trade, the GATT. There were many years of negotiations that culminated in what is known as the Uruguay Round, and that negotiation set up the World Trade Organization. It is to settle trade disputes when a country sets tariffs unjustifiably on another country.

Mr. Speaker, in response to an act of terrorism by a state that is on our list of terrorist nations—and there are only a handful of states on our list of terrorist states in the State Department, there is Iraq and there is Libya, there is North Korea, and there is Iran, and Communist Cuba—in response to an act of terrorism over international waters by that dictatorship, we passed the Cuban Liberty and Democratic Solidarity Act a year ago.

I think the most important thing we did in that legislation was that we set forth a blueprint for relations by the United States with not only the dictatorship now in Cuba, but during the transition and reconstruction after the inevitable collapse of the dictatorship in Cuba.

We said that there have to be, by the Cuban transitional government at the time of precisely the transition, there have to be three main conditions that have to be met before the President of the United States is authorized to normalize relations with a Cuban transitional government, and then to offer not only the lifting of sanctions, obviously, but the generosity of the American people, and we are confident of the international community at that time as well, to reconstruct Cuba from the destruction that has been brought about by this horrible regime that has oppressed and continues to oppress the Cuban people for more than three decades.

That is what we did in the legislation. We said that for the President of the United States to be able to normalize relations with a Cuban transitional government, that Cuban transitional government has to free all political prisoners, agree to legalize all political activity—that is, not interfere with people's opinions, not jail them because of their beliefs—and agree to hold free and fair elections within a reasonable time. That is the only thing we are saying has to occur before the President of the United States can normalize relations with a Cuban transitional government.

That I think is the most important thing we did in the Cuban Liberty and Democratic Solidarity Act, the Helms-Burton law, because it will be very important at the time of the transition in Cuba for there to be, once there is no longer a situation where there is a demented tyrant ruling over Cuba, a situation where they know, whoever is in a

transition situation in Cuba, that not only will the U.S. sanctions be lifted, but there will be access to the U.S. market, and everything else we have included in that blueprint for relations between the United States and Cuba.

All they have to do, all the Cuban transitional government would have to do basically is to respect the Cuban people with those essential conditions I have outlined; no more political prisoners, no more prohibition on political activity, and the commitment to hold free and fair elections.

We had to explain this time and time again to the Europeans. They did not know this. They have read in the media, in press and heard in the media, that we have what they say is an extraterritorial ban on investment in Cuba. We would have to point out, as I say, time and time again, no, it is just that we say that if a foreigner knowingly traffics in property stolen from Americans, then pursuant to our immigration laws we do not want that foreigner in the United States.

No country has ever committed itself under the WTO, World Trade Organization, or its precursor, GATT, to an immigration policy. No country has ever committed itself with regard to who it admits in its borders and who it excludes from its borders. Those agreements, GATT before and the WTO now, are trade agreements on goods and services, not on immigration policy.

So this challenge that the European Union is now bringing before the WTO based against our foreign policy, that foreign policy with regard to the Cuban dictatorship and the transition that I have briefly outlined and our immigration policy, the statement we have made that we do not want foreigners who knowingly deal in stolen property from American citizens to come into the United States, and they have to have the opportunity to divest before they come into the United States, and they have to say no, I am not going to divest from the property stolen from American citizens, to be excluded from the United States—that is our immigration law—the Europeans are challenging that at the trade organization, at the WTO.

They are making a serious mistake, Mr. Speaker. We told them in Europe, I do not think you have thought it through. I do not think you Europeans have thought through what it is to get involved in the immigration debate in the United States. I do not think you have thought through what it is to use the World Trade Organization to challenge American foreign policy with regard to its closest neighbor, the oppressed island of Cuba, and American immigration policy with regard to those who knowingly traffic in property stolen from American citizens.

□ 1345

I do not think you have thought that through, Europeans. And we would tell



them this, and again they manifested a tremendous amount of ignorance with regard to what our law really does, what our law is and what our law is not.

The fact of the matter is that they have proceeded at the WTO and they have filed a challenge. I want to commend at this time our Speaker, NEWT GINGRICH, and the Chairman of the Committee on International Relations, BEN GILMAN, and the committee, the chairman of the Committee on Government Reform and Oversight, DAN BURTON, and the chairman of the Senate Committee on Foreign Relations, Senator HELMS. And my colleague, ILEANA ROS-LEHTINEN, chairman of the Subcommittee on International Policy and Trade of the Committee on International Relations, and Senator BOB GRAHAM from Florida, and Senator ROBERT TORRICELLI of New Jersey, and Congressman ROBERT MENENDEZ of New Jersey, and Senator CONNIE MACK of Florida for joining in the letter that I signed as well, a letter to our United States Trade Representative saying, since the Europeans have decided to bring forth this challenge, this ill-advised and reckless and irresponsible challenge in the trade organization against our foreign policy to our closest neighbor, the oppressed people of Cuba and our immigration policy with regard to those who knowingly traffic in property stolen from American citizens, it is imperative, and I will refer directly to the letter sent to our United States Trade Representative:

"We are writing to emphasize the importance we attach to victory by the United States in any proceeding brought within the World Trade Organization challenging U.S. policy toward Cuba.

"We strongly agree with the administration's view that 'the World Trade Organization was established to manage trade relations between member governments, not diplomatic or security relations that may have incidental trade or investment effects.' Therefore, it is imperative that the United States interpose all available defenses, including the national security defense provided under Article 21 of the General Agreement on Tariffs and Trade, to avoid an adverse WTO decision.

"The United States has a strong interest in promoting international trade. It is precisely for this reason that we must do everything possible to prevent the WTO from undermining its own credibility by reaching a decision on a nontrade matter that purports to circumscribe our ability to adopt policies essential to our national security.

"We understand, of course, that the United States has a compelling defense on the merits to any WTO complaint challenging our policy toward Cuba and should prevail without invoking the national security exception. Nevertheless, we think it would be irrespon-

sible for the United States not to offer every available defense in a proceeding that could constrain our country's ability to defend its vital national security interests.

"We defer to your office regarding the best timing for putting forward the various defenses available to the United States, but we believe that the earliest possible use of the strongest defense is appropriate."

Mr. Speaker, I will include for the RECORD the letter to which I referred.

CONGRESS OF THE UNITED STATES,

Washington, DC, February 18, 1997.

HON. CHARLENE BARSHEFSKY,  
Acting U.S. Trade Representative,  
Washington, DC.

DEAR AMBASSADOR BARSHEFSKY: We are writing to emphasize the importance we attach to victory by the United States in any proceeding brought within the World Trade Organization (WTO) challenging U.S. policy toward Cuba.

We strongly agree with the Administration's view that "the WTO was established to manage trade relations between member governments—not diplomatic or security relations that may have incidental trade or investment effects." Therefore, it is imperative that the United States interpose all available defenses, including the national security exception provided under Article 21 of the GATT, to avoid an adverse WTO decision.

The United States has a strong interest in promoting international trade. It is precisely for this reason that we must do everything possible to prevent the WTO from undermining its own credibility by reaching a decision on a non-trade matter that purports to circumscribe our ability to adopt policies essential to our national security.

We understand, of course, that the United States has a compelling defense on the merits to any WTO complaint challenging our policy toward Cuba and should prevail without invoking the national security exception. Nevertheless, we think it would be irresponsible for the United States not to offer every available defense in a proceeding that could constrain our country's ability to defend its vital national security interests.

We defer to your office regarding the best timing for putting forward the various defenses available to the United States, but we believe that the earliest possible use of the strongest defense is appropriate.

With best wishes,

Sincerely,

NEWT GINGRICH,  
DAN BURTON,  
BENJAMIN A. GILMAN,  
JESSE HELMS,  
ILEANA ROS-LEHTINEN,  
LINCOLN DIAZ-BALART,  
BOB GRAHAM,  
ROBERT TORRICELLI,  
ROBERT MENENDEZ,  
CONNIE MACK.

The issue before us at this point, Mr. Speaker, is really an important one because the European policy—the American people realize that the Europeans are using the World Trade Organization to affect our foreign policy and our immigration policy. What is that going to do to the support by the American people toward precisely the World Trade Organization?

I have had disagreements, many disagreements in the past with proposals

put forward by, for example, Pat Buchanan, but he has a wonderful article today, a very insightful column in numerous newspapers around the country today, including the Washington Times here in Washington, where he says, the title of his column is European Assault on U.S. Policy. And he ends his article, talks about this WTO challenge, and he ends his column saying Congress should make it very clear: "The WTO treaty provides for 'security exemptions,' and Helms-Burton is a security issue. Thus, we will not participate in your hearings or abide by your decision. If sanctions are imposed on us, we will withdraw from the WTO.

"As the Europeans are the ones who escalated, by taking Helms-Burton to the WTO, warning us of a conviction in absentia, let us accept the challenge and tell them: There will be no back-channel discussions on Helms-Burton, no compromises, no capitulation. America's right to use her power to advance her foreign policy is nonnegotiable."

This is a very strong and important statement, and it brings us to the issue really before us at this time. I have been speaking to numerous Members of Congress. For example, I was speaking to Congressman MANZULLO from Illinois. I have not met a stronger supporter of the WTO and of free trade in this Congress than Congressman MANZULLO. He brings out and emphasizes the facts that support in this institution as well as among the American people in the country at large, for American participation in the WTO is going to diminish dramatically when the American people begin to understand that the Europeans are using that trade organization to further their position with regard to a disagreement that they have with the United States on our foreign policy and our immigration policy. It is a reckless, irresponsible action taken by the Europeans.

Now especially, we can realize the recklessness of this action taken by the Europeans and really the hypocrisy of the action taken by the Europeans. They are saying: "No, the United States, you should not use the national security defense." How interesting. First of all, we have used it in the past more than once. President Reagan in 1985 used the national security defense with regard to the Sandinista complaints against United States sanctions on Nicaragua.

But national security interests were also alleged in many other well-known cases: for example, in 1949 Czechoslovakian complaints against United States military railroad export controls; 1975, the Swedes said that their right to control their footwear market was absolutely indispensable to their national security. Talk about a stretch of the argument.

In 1982, this is the ultimate hypocrisy, the European Union, at that time

the European community, used the national security defense to defend itself against an Argentinian complaint against Europe for sanctions that were placed on Argentina during the Falkland crisis. In 1991, the Europeans also used the national security defense against the Yugoslavian complaints brought, brought about after sanctions were imposed on Yugoslavia. In all of those cases and in others, national security was invoked by the nations imposing economic sanctions against other countries.

Now, with regard to our legislation, the Cuban Liberty and Democratic Solidarity Act, national security concerns are much more evident and have significantly more to do with passage of the law than in any of those cases that I cited. The essential purpose of the act is precisely to defend the United States and its citizens from the dangers to our national security posed by the Communist dictatorship just 90 miles from our shores.

To quote directly from the act: "For the past 36 years the Cuban government has posed and continues to pose a national security threat to the United States." The purpose of the act, the purpose of the act is to provide for the continued national security of the United States in the face of continued threats from the Castro government of terrorism, theft of property from United States nationals by the Castro government, and the political manipulation by the Castro government of the desire of Cubans to escape that results in mass migration to the United States. The act is necessary in view of the threat, I continue to quote directly from the act, Mr. Speaker, we are not talking about Swedish footwear here. We are talking about the act itself that we passed. The act is necessary in view of the threat to the national security posed by the operation of any nuclear facility by the Castro regime.

Mr. Speaker, Castro is trying to complete two nuclear power plants just a little over 100 miles from Florida. Those nuclear power plants are of the same model of the nuclear power plants that were closed immediately upon German reunification in east Germany and upon liberation in all the countries of the former Soviet Union. That same model, that same model nuclear power plant, VVR 440 is its exact description, that is the model of the nuclear power plants that Castro is trying to complete in Cuba. All European countries, as soon as communism fell, they closed down near those nuclear power plants because of their inherent dangers. Talk about a national security issue.

One of the main facets of our legislation is to stop assistance, all assistance to Castro for completion of those nuclear power plants. That is a national security issue if I have ever heard of a national security issue.

Many other references are made throughout the statute itself, specifi-

cally to national security as the fundamental motivation and purpose of the act. The role of the Castro regime in activities that constitute severe dangers to United States national security such as narcotrafficking, the DEA field office in Miami and customs made clear to local media there just a few months ago that over 50 percent of the cocaine that comes into the United States from the Caribbean area comes through or from Castro's Cuba. Now, the role of the Castro regime in activities such as narco-trafficking are specifically referred to as reasons for the legislation in the legislation.

And as I stated before, Mr. Speaker, it should never be forgotten that the law was passed with President Clinton's support just a few days after the premeditated, brutal, unjustified murder in cold blood of American citizens by the Castro dictatorship over international waters.

Now, in addition to constituting a travesty of justice, an adverse ruling by the World Trade Organization against our law would have serious consequences for the support within this institution, within Congress and by the American people, for the world trade structure, and for U.S. membership in the WTO. I think that it is obvious that we need to be not only ready, willing, and able to use the national security defense but that we have to go ahead and do so. We have to go ahead and do so.

This is a very serious matter, Mr. Speaker. We will continue talking about it in the weeks ahead because the sovereignty of the United States is at issue. The Europeans now have said they had a meeting of their foreign ministers on Monday. They said publicly after that meeting, we have a ban on furs, animal skins to the United States. We will consider lifting our ban on animal skins, the importation of animal skins from the United States into Europe if the United States lifts its ban on foreigners who knowingly traffic in property stolen from American citizens.

That is an unbelievable statement that the Europeans have made, demonstrating not only a tremendous lack of knowledge of what this issue is about and about what our law is about, what it is and is not, but a tremendous lack of sensitivity as well.

Now, this issue will need to be spoken of in the next months. When the American people come to realize that the Europeans are using, that this supernational trade body, the World Trade Organization, to deal with an issue that is not trade related, that is a foreign policy decision of the American Congress and the American President with regard to its closest neighbor, the oppressed people of Cuba and the immigration law of the United States, that the Europeans are politicizing the World Trade Organization

for political purposes, the support within this Congress and in the American people at large for the World Trade Organization and our participation in it is going to diminish very rapidly.

I do not know if the Europeans have realized that. Nevertheless they have proceeded recklessly with this complaint. I think the important issue, the important reality at this matter with regard to this debate is that our Government must immediately invoke national security like President Reagan did in 1985 when the Sandinistas brought similar complaints. President Reagan invoked national security and the complaint fizzled away. We not only have to say we are willing to invoke national security. We have to invoke national security.

I did not criticize for one second the administration when I was in Europe, because I do not believe in criticizing the administration when you are not on United States soil. But I will say this. It is time for the administration not only to say they are going to invoke the national security defense but to go ahead and mean it. I think if Europeans believed that we meant it, this case would not have proceeded.

So there are issues that we have to continue debating and discussing. I think the American people when they realize in the next months that the Europeans are utilizing the World Trade Organization for political purposes in a reckless way, they are going to have a lot of questions to ask about, No. 1, what is this World Trade Organization, how did we get into this World Trade Organization, do we have a veto in this World Trade Organization like we have in the U.N. Security Council? The answer is no. We are one vote, and Castro was one vote in the World Trade Organization. And the Europeans, of course, have more than two dozen votes, because they have more than two dozen nation states. So this is a very serious issue and we will continue talking about it.

I think it is important that the alarm be sounded, that this is not an issue that is neither simple nor that lacks in importance and that we will continue talking about it in the weeks and months ahead.

□ 1400

At this time, Mr. Speaker, I want to yield to my distinguished colleague, also from the State of Florida, Congresswoman ROS-LEHTINEN, who so brilliantly defended this legislation and explained it time and time again in those meetings that we had last week in Europe.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my colleague from Miami so much. I think the U.S. Congress would have been very proud if they had had the opportunity, if our colleagues had been there with us, to hear Congressman DIAZ-BALART's statements time



and time again to the different officials from various countries with whom we visited and his very patient explanation time and time again of this law.

I think we have a greater appreciation of Ambassador Eizenstat's patience now that we have undergone some of what he has been doing for the past months. And as Congressman DIAZ-BALART so well pointed out, we are very distressed over the naming of the panelists by the World Trade Organization to hear this European Union complaint against our overwhelmingly supported legislation, Helms-Burton legislation, which was drafted, to a great extent, by my colleague, LINCOLN DIAZ-BALART, as well as other colleagues, such as the gentleman from New Jersey, BOB MENENDEZ, and many others.

This challenge, as we know, is based on what the European Union considers to be the extraterritorial aspects of not only Helms-Burton, but the challenge presented by the European Union in May includes many other aspects of United States policy toward Cuba, including, but not limited to, the embargo placed by the President in the early 1960's, the 1985 sugar certification requirements, the 1992 Torricelli law dealing with a ban on United States subsidiaries abroad that are doing business with Cuba and which places restrictions on cargo vessels going to Cuba, and on and on and on.

The list is rather long, and it is outlandish and incredible for the European Union to challenge the foreign policy of the United States.

As Congressman DIAZ-BALART has pointed out, we have the right to dictate our domestic and foreign policies, just as the European Union countries have the right to establish those policies with no interference from abroad.

And the World Trade Organization, just by them taking this step of naming the panelists to hear this grievance, threatens the support of the United States for this budding organization. If the U.S. Congress could vote again on the establishment of this organization and our participation in it, it might very well be defeated. It passed with almost 150 votes against its formation and our participation.

It is not in the European Union's interest nor the United States' interest for the WTO to continue with this challenge, but as Congressman DIAZ-BALART has pointed out, the United States is ready, willing, and able to invoke the national security exception, and leading Members of Congress have officially asked our Government representatives to do so immediately.

It is very sad to see the European Union continue to ignore the sad situation of the oppressed people of Cuba. Cuba, under Castro, has the worst human rights situation in the Western Hemisphere. It has no free and fair elections. The Cuban people have no

freedom to speak, to express their opinions. There is no free press.

Raul Rivero, an independent Cuban journalist, has been hounded by Castro's thugs day in and day out, his home surrounded by them as they shout, "Traitor!" to him. And what is his crime? He calls out for democracy.

Just yesterday, two more independent journalists in Cuba were charged with working against the revolution. And what was their crime? Well, they had subversive materials: Newspaper articles, articles which call for liberty. And there are hundreds and hundreds of political prisoners. Dissidents are jailed, rounded up, and harassed.

Just 2 days ago in our community, we commemorated a very sad 1-year anniversary of the killing by Castro's military of four brave young men who were on a humanitarian mission in a civilian plane in international airspace. It was in their name, the names of Pablo, Carlos, Mario, and Armando, that President Clinton signed the Helms-Burton bill into law.

It was in the name of over 40 men, women, and children who were killed just a few years ago in 1994 by Cuban authorities as they sat in a tugboat trying to flee the island, and it was in the name of hundreds and hundreds of so many who were killed fighting for Cuba's freedom that we presented the legislation known as Helms-Burton.

And time and time again, Castro himself states that he will reform nothing. When they ask him about elections, he says, "Elections for what?"

Every dollar in Cuba by European investors is one more dollar Castro uses to keep himself in power. But we recognize the right of the European countries to continue to trade and do business with Castro, however morally reprehensible we feel that such commerce is.

Helms-Burton does not infringe upon their right to do so. Helms-Burton does not tell any country with whom they can trade, it just says that you cannot use illegally confiscated property that once belonged to U.S. citizens for you to do your dirty deed. You may continue to build the hotels on Cuban beaches, even though native Cubans are not allowed to enter those hotels. They cannot eat in the restaurants, they cannot swim in the pools that these European investors have built, but they can continue to build those hotels as long as the land they are using does not belong to United States citizens.

Once again we explained it day in and day out. Do they not understand, or do they just pretend not to understand? It is very important for the United States to maintain our right to set our immigration laws. The U.S. Congress will be outraged if this organization goes through with hearing this complaint

and believes that it has jurisdiction over who we can or cannot enter into our borders.

Through this European Union challenge to Helms-Burton, the World Trade Organization is set to rule on United States immigration policy, and that is outrageous. The WTO is a multilateral trade forum, but Helms-Burton is not a trade bill.

We have asked the European countries as well as Mexico and Canada to join us in our quest, to join us in our struggle, to join us in our strong desire to help the Cuban people live in a democracy, live in liberty, and enjoy the same rights that they enjoy in those countries and that we enjoy in ours.

Congressman DIAZ-BALART so correctly pointed out a column by Patrick Buchanan, nationally syndicated columnist, who talks about the European assault on United States policy, and he says, "At stake here is the question who has the final authority to decide what America may or may not do to defend her national security: Us or them? At stake are the sovereign rights for which the American Revolution was fought."

"Let us have this issue decided now! As the Europeans are the ones who escalated, by taking Helms-Burton to the WTO, warning us of a conviction in absentia, let us accept the challenge and tell them: There will be no back channel discussions on Helms-Burton, no compromises, no capitulation. America's right to use her power to advance her foreign policy is nonnegotiable."

I think the U.S. Congress will hear a lot about this discussion, and they know, and we must make clear time and time again, that its sovereignty, our sovereignty, will not be compromised by the WTO.

The administration's decision not to recognize the WTO jurisdiction was a correct first step. However, we must make it clear that we are prepared to use our national security clause, which is permitted under WTO, and these rules must be used to defend Helms-Burton and our right to conduct our foreign policy.

I am sure that Congressman LINCOLN DIAZ-BALART and many other Members of Congress, we are on a campaign, and we will not be discouraged by our European allies. We will continue to fight the good fight on behalf of the enslaved people of Cuba and fighting for the United States sovereignty, and we will not let this issue die down.

They have many months to decide, and we have many months to continue to debate this issue, and, Mr. Speaker, I thank the gentleman for yielding his time.

Mr. DIAZ-BALART. I thank the gentleman.

I think that the Europeans have misunderstood the American character. Americans do not yield to blackmail.

The American people, and I would think that the American people will be contacted, and I would certainly urge the American people to contact their Members of Congress to let them know once again the need to tell the Europeans that they cannot dictate American immigration policy, that they cannot dictate American national security policy.

The American people, through their Congress and through their President, have a right to protect themselves against nuclear powerplants being built 100 miles from Florida, that in the case of an incident by the Cuban dictator, a purposeful incident because he likes to create crises to try to blackmail and threaten other countries, or, in the case of an accident, like in Chernobyl, it would be absolutely disastrous for not only Florida but the whole southern United States, all the way, according to nuclear experts, all the way here into northern Virginia and actually the Nation's capital.

So the American people have a right to protect themselves against national security threats, to decide their immigration policy, and I am fully convinced, and I would ask the gentlewoman's comments on this issue, because I am fully convinced that the American people in the next weeks and months are going to be outraged when they learn that the Europeans are using a trade forum to try to pressure and blackmail the American people into changing immigration law, because that is what they are concerned about.

The gentlewoman is correct, they have thrown everything into that case, from President Kennedy's cutting off the Cuban sugar quota as a sanction against the confiscation of property and other acts, illegal acts taken by Castro, to the Cuban Democracy Act in 1992, to the Helms-Burton law.

They are actually after one thing, and that was made clear to us in meeting after meeting. They want to change the immigration policy of the United States because they are mad that an investor of theirs knowingly can traffic in United States property in Cuba and get notice, get a right to divest, and yet they want to continue trafficking knowingly and dealing in stolen property from American citizens. Then under the U.S. immigration laws, they are excluded from the United States, and they are mad about that.

So that is what they want to change. They want to change U.S. immigration law, and when the American people realize in the next weeks and months what this debate is all about, I think they will be outraged.

Does the gentlewoman agree?

Ms. ROS-LEHTINEN. I agree, and one of the things I think that made us so sad on this trip is hearing from European leaders, knowing the history of

that continent, an area that had suffered so long under tyranny, under a dictator, where the rights were stripped of its citizens, where we continually said never again would those horrendous situations ever occur. And yet right now they are willing to continue to wheel and deal with a dictator for a few fast dollars, looking the other way when they realize it is a slave economy.

And they say, yes, we realize that this trade continues to maintain Fidel Castro in power, and he will continue to degrade the Cuban people, and he has no free election, but if we can make a cheap dollar, then we are willing to do it.

And to see these country leaders, knowing the rich history of the terrible situation for centuries they have endured, and have them not stand in solidarity with us in our struggle to help the Cuban people, that was a real tragedy. And if there was any sad moment, it was hearing those leaders time and time again try to excuse their immoral behavior by using this trade organization as a tool to wash their hands of blood that cannot be washed away.

So I thank the gentleman for his time and his leadership on this issue, and our fight has just begun.

Mr. DIAZ-BALART. As the gentlewoman has stated numerous times, this is a campaign, Mr. Speaker, that just begins today to inform the American people and to reiterate what the Europeans really are out to do, and that is to change U.S. immigration law in a world trade forum, totally inappropriately, totally recklessly, and totally unjustifiably, but, nevertheless, they are trying to do it.

I do not know if they think they can get away with it, but the bottom line is, I know the American people, and the American people will not let themselves be blackmailed. And the American people will tell their Members of Congress and tell the Europeans that if they think they can use the World Trade Organization, this supernatural World Trade Organization, to influence the policy decisions of the American people with regard to immigration law or national security matters, they do not know the American people, Mr. Speaker, but we do.

So I think the Europeans have made a dreadful mistake. They have this trade commissioner, whose name is Sir Leon Britten. He is acting like a zealot on this issue. I do not know why. I will not speculate why he is acting like a zealot on this issue.

But despite the fact that it has been explained to him that under our immigration law the only foreigners who are excluded under that chapter are those who knowingly deal in stolen property from American citizens and have been given the right to divest of their stolen property and refuse to do so, this Sir Leon Britten, trade commissioner for

Europe, continues to act irresponsibly on this subject.

I think it is time for the American people to start having their voices heard and they let their Members of Congress know it is time to let the Europeans know the character of the American people once again.

This Nation saved the Europeans twice in this century alone. And when we go to Europe, we see the thousands of graves, the thousands of markers of brave soldiers who gave their lives to save the European continent, and we are so proud of those soldiers.

And for the Europeans to be saying now that they can take this new organization, the World Trade Organization, which is supposed to deal and is explicitly limited to trade issues—for example, if a country unfairly puts tariffs on another country or excludes products of that country from another country, hurting the business of that other country, then that other country that is hurt is supposed to file a complaint and is justified in filing a complaint before the World Trade Organization.

□ 1415

Whose businessmen according to our law are prohibited from making money from Castro's slave economy? The Europeans? No, the Americans. We are the ones telling our own business people, and we have made that bipartisan decision, but we do not want to make money, we do not want blood money from the Castro tyranny and the Castro slave economy. We do not want blood money from the Iranian terrorist state with all the oil in the world they can have. We do not want that blood money.

So if there is anybody who should be concerned about business being lost, it is Americans. And yet we because of ethics are saying we do not want that blood money, and yet if there has ever been proof that what the Europeans are doing is fully based on politics, irresponsible politicalization of the world trade body, they who are going in and making blood money, not only in Iran but in Castro's Cuba, they are the ones bringing this political complaint in front of the World Trade Organization.

This is outrageous as well as extraordinarily irresponsible, extraordinarily irresponsible on the part of the Europeans. We inform them and I am sure the American people will let their Members of Congress know that all of us should be telling the Europeans in the weeks and months ahead that this irresponsible action on their part is not going to succeed. It is going to reinforce the will and it is going to reinforce the commitment of the United States and the representatives of the United States to be able to control our sovereign policies with regard to national security and immigration. The Europeans will not dictate national security and immigration policy for our Congress, Mr. Speaker.



## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

## NEW TELEVISION PROGRAM RATING SYSTEM NOT PROVIDING ENOUGH INFORMATION FOR PARENTS TO MAKE CHOICES FOR THEIR CHILDREN'S TV VIEWING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. COBURN] is recognized for 5 minutes.

Mr. COBURN. Mr. Speaker, permit me to take a moment to clarify a statement that I issued yesterday criticizing NBC's broadcast of "Schindler's List" last Sunday evening which was broadcast during prime time viewing hours. I would want my colleagues of this body as well as this country to not have any mistake that I believe that this movie is a landmark movie, a remarkable movie that profoundly affected me as well as my wife and our family as we watched it. Indeed I instructed my daughters to view this movie and I have had many discussions with friends and neighbors alike about the atrocities of the Holocaust that were made aware to us and made apparent to us through this movie. I feel terrible that my criticism of NBC for airing this movie has been misinterpreted as a criticism of "Schindler's List" or the millions of Jewish people who died senselessly during the Holocaust. To all those that I have offended I offer an apology, and I personally apologize for appearing insensitive to the worst atrocities known to human kind.

As many of you know I am a practicing physician dealing with life and death issues almost every day. I have devoted most of my adult life to working with religious groups across the spectrum. Religious tolerance is the hallmark of my professional and personal life. However I continue to be disturbed by the new television program rating system recently implemented by the broadcast and cable television network.

Mr. Speaker, I have been the leader on this issue since I arrived in Congress. As many of you will recall I offered an amendment on the floor of this House to the Telecommunication Reform Act of 1996, an amendment that would encourage parental responsibility for what their children watch on television. My amendment which passed the House would have accelerated new TV program blocking technologies that were coming to the marketplace. I did not support the V chip technologies because it was an abdication for parents' responsibility for what their children watch.

The bottom line is that parents need enough information to make good deci-

sions for their children. Our children in our country are in trouble, and part of it is because of parental failure. We must have parental guidance, but we also must protect those children who have no parental guidance.

## TRIBUTE TO TIM DUNCAN OF THE VIRGIN ISLANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands [Ms. CHRISTIAN-GREEN] is recognized for 5 minutes.

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise today with great pride to recognize and pay tribute to a superb athlete and a wonderful Virgin Islander: Tim Duncan of Wake Forest University.

Timmy, as he is better known by his friends back home, has been a star center for the Wake Forest Demon Deacons since 1993 and is currently one of the 12 players in the running to be named the 1997 College Basketball Player of the Year.

Last night, at the end of the Demon Deacons' last home game and at Tim's last home game as a student at Wake Forest, the university and the Winston-Salem community paid tribute to this outstanding student-athlete by making him only the eighth player to have his jersey, No. 21, retired.

I had the privilege of attending last night's ceremony to personally extend congratulations to Timmy and to his family on behalf of his thousands of friends back home in the Virgin Islands and Virgin Islanders across the country who could not be there to congratulate him in person.

Mr. Speaker, entering this month, Timmy had played in 114 consecutive games at Wake Forest. He holds the distinction of participating in more winning games as a Demon Deacon than any other player in Wake Forest history.

The premier player in America for 1996-97, according to leading college basketball experts, Timmy will complete his career at Wake Forest as the NCAA all-time leader in blocked shots. He has blocked at least one shot in all of his first 114 games at Wake Forest.

Mr. Speaker, it goes without saying how especially proud the people of the Virgin Islands are of their native son, Tim Duncan. I ask my colleagues to please join me in congratulating this wonderful student-athlete as well as his family, who were with him last night as we witnessed him receiving his honor in front of thousands of cheering Wake Forest University fans. Tim's family who were with him last night are his proud father, William Duncan, his older sister Cheryl, and her husband Rick Lowery and their children Sheynne, Kristin and Delysia; his youngest sister Tricia and older brother Scott.

A heartfelt congratulations to Timmy and his family and best of luck to Wake Forest as they prepare for the ACC and NCAA tournaments.

Go Deacons.

Mr. Speaker, that concludes my remarks this afternoon.

## MODIFICATION TO RECONSTITUTION OF REVIEW PANEL OF OFFICE OF FAIR EMPLOYMENT PRACTICE

The SPEAKER pro tempore. Without objection, the order of the House of Tuesday, February 25, 1997, providing for the reconstitution of the review panel of the Office of Fair Employment Practices is modified as follows:

By the Chairman of the Committee on House Oversight, as originally made on May 3, 1995: Mr. EHLERS of Michigan, chairman; vice, Mr. DIAZ-BALART of Florida.

There was no objection.

## THE HOLOCAUST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. LAMPSON] is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I noted Mr. COBURN's apology to the public for comments made earlier. While noting the misplaced outrage of other Members of this body, I want to express my admiration and thanks to NBC and to Ford for airing "Schindler's List" this weekend. I would like to thank the film maker Stephen Spielberg not only for his brilliant film but also for his recommendation broadcast before the film began Sunday evening that the film may not be suitable for young people, young children.

I watched "Schindler's List" with my daughter and found it as moving a film as I have ever seen, and any allegation that any aspect of this story is gratuitous or improper would be laughable if it were not so sad. And the comments, the words, of Mr. COBURN, that the airing of the film should outrage decent-minded individuals everywhere, should be taken note of.

Our own great Nation is still plagued by hate crimes 221 years after being founded as a nation of freedom and equality. We watch with horror as churches and synagogues are burned and cemeteries are desecrated in our communities, and the best way to fight hatred and intolerance is with the truth about the most egregious crime against humanity in modern history, the Holocaust.

**REPORT ON GOVERNMENT CAPABILITIES TO RESPOND TO TERRORIST INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on National Security:

*To the Congress of the United States:*

The National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201), title XIV, section 1411 requires the President to transmit a report to the Congress that assesses the capabilities of the Federal Government to prevent and respond to terrorist incidents involving weapons of mass destruction and to support State and local prevention and response efforts. In accordance with this provision, I transmit the attached report on the subject issue.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 26, 1997.

**REPORT TO CONGRESS ON RESPONSE TO THREATS OF TERRORIST USE OF WEAPONS OF MASS DESTRUCTION, JANUARY 31, 1997**

**EXECUTIVE SUMMARY**

As the result of recent events, significant threats over the past few years, and the increased availability and proliferation of nuclear, biological, or chemical (NBC) materials, there is an increasing concern for the potential of terrorist incidents occurring in the United States involving weapons of mass destruction (WMD).

Under Presidential and Congressional direction, the Federal Government has made a concerted effort to better respond to domestic terrorist incidents involving WMD. These efforts include assessing current capabilities, identifying shortfalls, and taking steps to remedy them. The Federal Bureau of Investigation (FBI), as the lead agency for crisis management in response to a domestic terrorist threat or incident, has undertaken several initiatives to prevent, mitigate, and respond to the domestic terrorism threat. The Federal Emergency Management Agency (FEMA), with the responsibility for consequence management in response to a terrorist incident, has undertaken several initiatives to identify and enhance the Federal capability to respond to the consequences of a terrorist incident. Several departments and agencies, including the Department of Defense (DOD), Department of Energy (DOE), Department of Health and Human Services (HHS) and the Environmental Protection Agency (EPA) are involved in enhancing overall terrorism response capabilities, with others in the Federal response planning community actively supporting this effort.

Local response to a terrorist event is critical to the success of the overall response. Even with a timely Federal response, local first responders have the immediate requirement to deal with the incident and care for victims. FEMA has been working with local and State governments to assess their response capabilities, identify shortfalls and take measures to remedy them. These activities include surveying State terrorism response capabilities, convening a focus group

to discuss capabilities and needs of local government for NBC response, sponsoring a conference for fire chiefs from major metropolitan fire departments to discuss lessons learned from recent international terrorism incidents, conducting training activities, and developing exercises featuring terrorism scenarios to test various aspects of crisis and consequence management activities.

In continuation of these efforts, the Federal Government has developed a program of activities in Fiscal Year (FY) 1997 encompassing training, some equipment and capability enhancements, planning, exercises, and other activities involving Federal, State, and local governments to improve the current levels of preparedness and response. The initial focus for training and capability enhancement is to target FY 1997 funding on cities and selected jurisdictions based on population, risk and geographic distribution. The FY 1997 activities will form the basis for further training, planning, and capability building efforts in FY 1998 and beyond for a broader base of jurisdictions, depending on budget constraints and resource availability.

**INTRODUCTION**

*Background*

Recent trends indicate growing prospects for terrorist incidents involving weapons of mass destruction (WMD). In 1993, a bomb rocked the World Trade Center in New York City, NY; in 1995, Japanese extremists successfully conducted a chemical attack in the Tokyo subway system and a bomb destroyed the Murrah Federal Building in Oklahoma City, OK. The chance of a significant WMD incident occurring in the United States is heightened by several factors, including:

- Inexpensive production and availability of chemical/biological (C/B) agents;
- Easily obtainable chemical precursors and biological production processes;
- Portability of small amounts of C/B agents especially useful for clandestine purposes;
- Potential for large-scale public impact based on limited ability to quickly identify and/or contain the effects of such substances;
- Increased WMD stockpiles, with the potential for theft or acquisition of the weapons by terrorists groups;
- Capability of inflicting mass casualties; and,
- Increased media coverage of the use of WMD.

*Scope of the Report*

This report responds to the requirement in the Defense Against Weapons of Mass Destruction Act of 1996, Title XIV, Section 1411 of Public Law 104-201 (also referred to as the Nunn-Lugar amendment), for the President to transmit a Report to Congress that assesses the capabilities of the Federal Government to prevent and respond to terrorist incidents involving WMD and to support State and local prevention and response efforts. Also, the report highlights results and insights gained from earlier Fiscal Year (FY) 1996 initiatives and describes what is planned or under way in FY 1997 to improve Federal, State, and local capabilities. Finally, it addresses measures to improve capabilities in future years, including funding requirements, legislative improvements, and research and development.

*Lead Agency Responsibilities*

The Department of Justice (DOJ), through the Federal Bureau of Investigation (FBI), has been assigned the lead responsibility for management of the U.S. Government (USG) response to terrorist incidents. The FBI derives its fundamental legal jurisdiction to deter terrorist incidents from an assortment

of Federal statutes and Executive Branch directives.

The FBI has the lead agency role in crisis management which entails the process of identifying, acquiring, and planning the use of resources needed to prevent and/or respond to a potential or actual terrorist incident. The crisis management response incorporates and emphasizes prevention, crisis mitigation efforts, and criminal prosecution of terrorists. Crisis management activities include proactive measures for prevention, immediate incident response, and post-incident response, including command of the operational response as the on-scene manager for an incident, in coordination with other Federal agencies and local and State authorities.

FEMA has the responsibility for consequence management which entails preparedness and response for dealing with the consequences of a terrorist incident. Consequence management activities include measures to alleviate damage, loss of life, hardship, or suffering caused by the incident; protection of public health and safety; restoration of essential government services; and provision of emergency assistance. FEMA will act in support of the FBI in implementing consequence management response activities.

The overall goal of Administration policy is to ensure that the United States is prepared to combat domestic and international terrorism in all its forms. Measures undertaken under this policy to deal with the terrorism threat include:

**Reducing vulnerabilities**—To reduce vulnerabilities to terrorism both at home and abroad, all Federal department heads have been directed to ensure that their personnel and facilities are fully protected against terrorism. This activity includes reviewing the vulnerability of Government facilities and the critical national infrastructure; reducing vulnerabilities affecting civilian personnel and facilities abroad, military personnel and facilities, U.S. airports, and other transportation modes; and undertaking counterterrorism measures to reduce both the domestic and international terrorist threat.

**Detering terrorist acts**—To deter terrorism, the USG has made it clear that its policies will not be affected by terrorist acts and it will vigorously deal with terrorists and their sponsors to reduce terrorist capabilities and support. In this regard, the pursuit, arrest, and prosecution of terrorists are of the highest priority. Goals include the disruption of terrorist-sponsored activity including termination of financial support, arrest and punishment of terrorists as criminals, application of U.S. laws and new legislation to prevent terrorist groups from operating in the United States, and application of extraterritorial statutes to counter acts of terrorism and apprehend terrorists outside the United States. Return of terrorists from overseas who are wanted for violation of U.S. law is of the highest priority and a central issue in bilateral relations with any country that harbors or assists them.

**Responding to terrorist acts**—To respond to acts of terrorism, there must be a rapid and decisive capability to protect U.S. citizens, defeat or arrest terrorists, respond against terrorist sponsors, and provide relief to the victims. The goal during the immediate response phase of an incident is to terminate terrorist attacks so that the terrorists do not accomplish their objectives or maintain their freedom, while authorities seek to minimize damage and loss of life and



provide emergency assistance to the affected area. In responding to a terrorist incident, the Federal Government is working to rapidly deploy the needed Federal capabilities to the scene, including specialized elements for dealing with specific types of incidents resulting from WMD threats.

#### Recent Initiatives

While the primary Federal focus historically has been on developing crisis management capabilities, recent events have necessitated placing an increased emphasis on building consequence management capabilities as well. Thus, guidance provided by USG policy has resulted in a number of initiatives being undertaken in FY 1996 to continue to build crisis management capabilities and to enhance consequence management capabilities by assessing Federal, State, and local capabilities to respond to the consequences of a nuclear, biological, or chemical (NBC) WMD terrorist event. Ongoing activities through FY 1997 build upon these initiatives and respond to new legislation. Some recent initiatives include:

- Development by the FBI of operational guidelines entitled Guidelines for the Mobilization, Deployment and Employment of U.S. Government Elements in Response to a Domestic Terrorist Threat or Incident.

- The formulation of the FBI Domestic Emergency Support Team (DEST) and the first deployment of the DEST in support of the 1996 Democratic National Convention.

- Pilot test of a Metropolitan Medical Strike Team (MMST) for the Washington, DC, area and in Atlanta, GA, at the 1996 Summer Olympic Games, to provide immediate on-site medical support in response to a terrorist incident involving WMD.

- Multi-agency assessment of the capability of the Federal Response Plan (FRP) to respond to a WMD terrorist event.

- Exercises using terrorism scenarios that address various aspects of crisis management and consequence management.

- Planning, training, and exercises focusing on the terrorism threat conducted in preparation for the 1996 Summer Olympic Games, national political conventions, and the 1997 Presidential Inauguration.

- Survey of State terrorism response capabilities conducted in conjunction with the National Governors Association (NGA).

- Focus group discussions with management and emergency responders from four major metropolitan areas on the capabilities and needs of local government to respond to NBC WMD terrorist incidents.

- Conference for fire chiefs of major metropolitan fire departments conducted in conjunction with the International Association of Fire Chiefs featuring lessons learned from recent international terrorism incidents.

- Conferences and exercises on health and medical requirements needed in response to chemical/biological (C/B) terrorism sponsored by the Department of Health and Human Services—Public Health Service (HHS-PHS).

- Numerous training activities sponsored by FEMA and the States to improve responder awareness of the terrorism threat and to begin to build the knowledge and skills required for response to such an incident.

- Development of the Terrorism Incident Annex to the FRP.

- Enhancement of 175 FBI Special Agents to work on WMD issues.

- Establishment of the Hazardous Materials Response Unit (HMRU) to provide scientific and technical expertise to enhance FBI forensic and evidence capabilities.

#### ASSESSMENT OF FEDERAL CAPABILITIES TO PREVENT AND RESPOND TO THE USE OF WMD

##### Crisis Management/Prevention Capabilities

###### Lead Agency Role

The FBI has been designated as the lead agency for the management of the Federal response to terrorist incidents (hereafter referred to as crisis management). As the lead for crisis management, the FBI has the responsibility for proactive measures involving prevention, immediate incident response, and post-incident response, including functioning as the commander of the on-scene operational response.

The FBI On-Scene Commander (OSC) is responsible at the incident site for all decisions to resolve the terrorist incident, unless the lead agency responsibility is transferred by the Attorney General (AG) to FEMA, as warranted. In support of the FBI OSC, or as the designated lead agency after transfer of the responsibility by the AG, FEMA coordinates all Federal assistance in support of consequence management needs resulting from the incident with the affected State and local governments.

Operational guidelines (entitled Guidelines for the Mobilization, Deployment and Employment of U.S. Government Elements in Response to a Domestic Terrorist Threat or Incident) have been developed by the FBI and are awaiting final approval by the AG and the National Security Council (NSC). The Domestic Emergency Support Team (DEST), an interagency support component, has been developed and is managed by the FBI.

During a significant terrorist threat or event including a WMD incident, the FBI may deploy a tailored DEST enhanced with specialized interagency components capable of responding to situations involving chemical/biological (C/B) or nuclear/radiological weapons or agents. The FBI-led response will be activated to provide a graduated, tailored response based on the type of incident, in accordance with the FBI's Nuclear or C/B Incident Contingency Plans.

The FBI OSC, as lead agency official, retains the authority to take appropriate crisis management actions at all times during the crisis management response. On-scene decisions with interagency consultation are made with the Command Group at a Joint Operations Center (JOC), which includes the OSC, on-scene principals of the DEST agencies, other Federal agency representatives, and local and State representatives.

The DEST Team Leader (DTL) is designated by the Director, FBI. The DTL is primarily responsible for providing the FBI OSC advice and guidance concerning other Federal capabilities available for use in resolving a WMD terrorist incident. This includes crisis management and consequence management assistance, technical or scientific advice, and contingency planning assistance. Upon arrival at a crisis location, the DEST conducts an initial situation assessment, develops appropriate Courses of Action (COAs), makes a consequence assessment, and provides the OSC with recommendations. The DTL coordinates this process and thereafter facilitates the implementation of the OSC's selected COA through specific taskings. The DTL ensures continuous coordination within the various DEST components and with the FBI command post elements, resolves issues within the DEST, ensures effective communications among response elements, and implements required changes within the DEST to achieve the most efficient and effective team possible.

When determined appropriate by the OSC, the FBI command post will be modified to

function as a JOC. The JOC configuration includes representatives of the primary participating agencies and Command, Operations, Consequence Management, and Support Groups as described below:

- Command Group**—Comprised of senior officials of the FBI, DOE, DOD, HHS-PHS, FEMA, and other Federal and State agencies, as appropriate, to provide the OSC with a means to quickly coordinate and reach decisions on interagency matters that affect the resolution of the incident.

- Operations Group**—Contains representatives of the organizations directly involved in actions in and around the crisis site and whose actions are deemed critical to the successful resolution of the crisis.

- Consequence Management Group**—Contains decisionmaking and liaison representatives of consequence management organizations to provide advice on decisions that may have implications for consequence management, and to provide continuity in leadership should a consequence management response become necessary. If consequences become imminent or actually occur, State and local organizations will initiate their consequence management actions, with FEMA expediting the provision of Federal consequence management response support. The Group is coordinated by FEMA with an FBI liaison from the OSC.

- Support Group**—Contains representatives of organizations whose primary task is to support members of the Operations Group. Depending on the nature of the crisis, organizations represented in the Operations Group will be asked to provide staff for various support components, including Logistics, Legal, Administrative, Liaison, and Media components. The Media component serves as the single point of contact for the coordination and release of public information to the media from the incident site. DOJ/FBI, in coordination with participating DEST agencies, will develop a strategy and procedures for responding to media inquiries. The overall intent will be for the Federal Government to speak clearly with one voice regarding any response to a terrorist incident.

###### Lead Agency Initiatives

As a result of recent terrorist incidents, and in recognition of the emerging threat of WMD, the FBI has enhanced and modified its capabilities. Some of the changes include:

- Establishment of a separate Domestic Terrorism/Counterterrorism Planning Section. This growing section includes separate units formed specifically to more effectively address Domestic Terrorism Operations, WMD, Special Events Management, and Domestic Terrorism Analysis. It is anticipated that during Fiscal Year (FY) 1997 the WMD Unit will divide into two separate units, one handling NBC proliferation matters, threats, and incidents and the other managing exercise and response components (such as the DEST) and implementing the first responder training initiative.

- Establishment of the Hazardous Materials Response Unit (HRMU) within the Laboratory Division. This unit is designed to lead and augment the Federal science and technology response capability to terrorist threats/incidents involving WMD and provide a law enforcement representative in evidence issues to enhance later prosecutive effectiveness and efficiency.

- Establishment of the Critical Incident Response Group (CIRG) at Quantico, VA. The CIRG is recognized as an FBI entity that provides coordinated support to the FBI OSC. The Hostage Rescue Team (HRT),

which has been trained to operate in a HAZMAT environment, is part of the CIRG. To assist the HRT in protracted terrorist or other criminal incidents, regional FBI Special Weapons and Tactics (SWAT) teams have been enhanced to provide additional tactical support; however, at this time only the HRT has equipment and trains in a HAZMAT environment. The CIRG provides additional operations support in the areas of negotiation, behavioral profiling and assessment, and crisis management support.

#### *Interagency Capabilities*

To successfully resolve a WMD incident, closely coordinated efforts with appropriate Federal, State, and local law enforcement agencies and other authorities having emergency capabilities to respond to and mitigate the consequences of such an incident will be utilized by the FBI. Appropriate Federal agencies will support the FBI by providing personnel and equipment that will be rapidly deployed and made available for advice and assistance, as warranted by the situation and at the request of the OSC at the incident site. In order to develop close working relationships among Federal agencies concerned with a potential WMD incident, many interagency working groups (IWGs) have been established, some of which are:

Various Coordinating Sub-Groups, including a Sub-IWG on Exercises co-chaired by the FBI, and a Sub-IWG on Nuclear Trafficking;

Technical Support Working Group (TSWG) for research and development, science, and technology devoted to counterterrorism;

Interagency Intelligence Committee on Terrorism (ICTT), Chemical/Biological/Radiological (CBR) Subcommittee;

SHIELD Group dealing with C/B proliferation, chaired by the Department of State (DOS);

Nuclear Export Violation Working Group (NEVWG);

Missile Trade Analysis Group (MTAG); and Joint Atomic Energy Intelligence Committee (JAEC).

#### *Interagency Roles and Responsibilities*

The primary agencies participating in the response to a WMD incident include DOJ, DOD, DOE, HHS, EPA, and FEMA. Depending on the specific details of an incident, the FBI may also request specialized assistance from other agencies, including the Department of Transportation (DOT), the Department of Agriculture (USDA), the Department of the Treasury, the Nuclear Regulatory Commission (NRC), DOS, and the U.S. Intelligence Community (IC). The participating agencies will be incorporated into the existing on-scene FBI crisis management structure, which is designed to provide the FBI OSC with a graduated and flexible response capability. For a WMD incident, the DEST will include a specially configured nuclear or C/B response component with staffing and equipment from appropriate Federal agencies, including DOD, DOE, HHS, EPA, and FEMA. Other agencies may be tasked to support the FBI on a case-by-case basis in an effort to prevent, mitigate, and/or manage a WMD incident or threat. Department and agency responsibilities include the following:

The Secretary of Defense has responsibility for:

Providing military units that can assist in both the crisis management and consequence management aspects of a WMD incident;

Designating the supporting equipment and those technical personnel who possess the required expertise to deploy with the DEST;

Designating pertinent assets for technical response, such as the identification of on-site

contaminants, sample collection and analysis, limited decontamination capabilities, air monitoring, medical diagnosis and treatment of casualties, and render-safe procedures for WMD material;

Providing for the custody, transportation, and disposal of a C/B WMD when beyond the capability of an otherwise cognizant agency and after consultation with DOJ/FBI and EPA, or of nuclear and/or radiological material when beyond the capability of an otherwise cognizant agency (e.g., DOE or EPA) and after consultation with DOJ/FBI and DOE; and

Providing other support to the OSC through the use of military assets.

The Secretary of Energy has responsibility for:

Analyzing threat messages, through the Communicated Threat Credibility Assessment Program, for technical content, nuclear design feasibility, and general credibility, and for providing such analyses to the FBI;

Designating those technical personnel and supporting equipment to deploy with the DEST as the Nuclear/Radiological Advisory Team (NRAT). The NRAT will normally include a DOE Senior Official who will coordinate the overall DOE response at the scene and liaise with other agencies on matters of mutual concern. The responsibilities of the NRAT are to: Make a scientific and technical assessment of the situation, provide scientific and technical advice to the designated OSC, provide scientific and technical recommendations, including risk/consequence information and requirements for follow-on assets, support tactical operations as directed by the FBI OSC, and perform limited technical measurements and conduct liaison with appropriate DOE response assets.

Designating those specialized personnel, along with specialized instrumentation and equipment, to assist Federal agencies in locating nuclear weapons or special nuclear material that may be lost, stolen, or associated with bomb threats using the Nuclear Emergency Search Team (NEST). The responsibilities of the NEST are to provide for: Search of nuclear materials, identification of nuclear materials, diagnostics and assessment of suspected nuclear devices, and disablement and containment programs.

Providing scientific and technical assistance and support to the FBI, DOD, and FEMA in the areas of threat assessment and search operations, access operations, diagnostic and device assessment, disablement and render-safe operations, hazards assessment, containment, relocation and storage of special nuclear material evidence, and in post-incident cleanup;

Acquiring, maintaining, and making available any special equipment and capabilities required to provide the necessary scientific and technical assistance; and

Providing tactical/operational advice and assistance in supporting the FBI for incidents on a DOE facility or involving weapons or material in DOE custody.

The Secretary of Health and Human Services has responsibility for:

Designating those technical personnel and supporting equipment to deploy with the DEST;

Providing technical advice and assistance, such as threat assessment, identification of contaminants, sample collection and analysis, on-site safety and protection activities, medical management plans, and the provision of health and medical care;

To support this effort, pertinent assets capable of representing the following resources

will be made available to the FBI in response to a WMD incident or threat: Office of Emergency Preparedness/Office of Public Health Service (OEP/OPHS), Federal Interagency C/B Rapid Deployment Team (CBRDT), Medical Management Support Unit (MSU), Medical Response Teams and Specialty Teams, and Agency Support Centers for Disease Control and Prevention (CDC); Food and Drug Administration (FDA); Agency For Toxic Substances and Disease Registry (ATSDR); National Institutes of Health (NIH); Substance Abuse and Mental Health Services Administration (SAMHSA); Health Resources and Services Administration (HRSA).

The Administrator of the EPA has responsibility for:

Designating technical personnel and supporting equipment to deploy with the DEST; Providing technical advice and assistance, such as monitoring, identification of contaminants, sample collection and analysis, and on-site safety, prevention, and decontamination activities;

Issuing any permits required for the custody, transportation, and disposition of chemical material; and

Making appropriate assets from the following resources available to the FBI in response to a domestic WMD threat or incident: Office of the Emergency Coordinator, EPA, Environmental Response Team, Edison, NJ, Federal On-Scene Coordinators (FOSCs), located in all EPA Regional Offices, supported by technical assistance contractors to operate in contaminated environments; sample, monitor, cleanup, etc., National Response Team (NRT), the 16-agency team chaired by EPA, Regional Response Teams (RRTs), 13 teams co-chaired by EPA and the U.S. Coast Guard (USCG) that support the FOSCs, Office of Radiation and Indoor Air (ORIA)/Center for Risk Modeling and Emergency Response (CRMER), Radiological Emergency Response Team, National Enforcement Investigations Center (NEIC), and laboratory support, including: Regional Environmental Services Division and contract labs, Office of Water-Technical Support Division, Cincinnati, OH, National Air and Radiation Environmental Laboratory (NAREL), Montgomery, AL, and Office of Radiation Programs, Las Vegas, NV.

The Director of FEMA has responsibility for:

Designating appropriate liaison and advisory personnel to deploy with the DEST; and

Coordinating on-site consequence management activities with State, local, and appropriate Federal agencies.

#### *Consequence Management/Response Capabilities*

##### *Lead Agency Role*

FEMA is responsible for the coordination of Federal emergency response activities in support of State and local governments. FEMA coordinates these activities using the concept of operations described in the inter-agency Federal Response Plan (FRP) and supports other Federal emergency response plans, as described below.

A WMD terrorist incident may occur without warning and immediately impact large numbers of people. The incident may affect a local jurisdiction, several jurisdictions within a State, or several States. The existing emergency response system may be severely stressed in providing a timely and effective response to the consequences of the incident. Local resources are likely to be quickly exhausted or unavailable to meet the complex requirements of such an event, including immediate needs for lifesaving resources, resulting in a requirement for Federal assistance to augment State and local resources.



Due to the potentially devastating impact, coordination at all levels of Government is critical to ensuring that response needs are met. In responding to the consequences of a terrorist incident, the primary objective of the Federal response is to assist State and local governments in carrying out their responsibilities to prevent or minimize the loss of life and property.

Over the years, a significant base of capability has been developed at the local, State, and Federal levels of government for responding to natural disasters and technological emergencies, including incidents involving nuclear and chemical materials.

The current response framework includes an array of emergency plans, capabilities, and resources of local, State, and Federal governments, and of private and voluntary organizations. At the Federal level, emergency plans deriving from statutory authorities. Executive orders, national security guidance, and other guidance are used by departments and agencies to carry out their emergency response missions. Under this response framework, Federal resources and capabilities are provided to augment those of State and local responders, including private and voluntary organizations. Existing Federal plans are also being adapted for response to the consequences of a terrorist incident. Current interagency plans include:

The Federal Response Plan, supported by 29 departments and agencies, is used by FEMA for responding to any incident or situation requiring or potentially requiring Federal emergency or disaster assistance. The FRP implements the authorities of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to provide Federal assistance to save lives, protect property, ensure public health and safety, and recover from the impact of the incident or event.

The Stafford Act provides FEMA with the authority to assign missions to any Federal department or agency in support of a disaster or emergency declared by the President.

The Federal Radiological Emergency Response Plan (FRERP), supported by 17 Federal departments and agencies, is used to coordinate the Federal radiological response to an incident involving nuclear materials. Radiological response activities under the FRERP include monitoring and assessing the situation, developing and recommending protective action recommendations for the affected population, and serving as the primary Federal source of technical and public information regarding the radiological incident.

The National Oil and Hazardous Substances Pollution Contingency Plan, or National Contingency Plan (NCP), supported by 15 Federal departments and agencies, is used to coordinate the Federal environmental response to an incident involving HAZMAT, including chemical agents. Environmental response activities include monitoring, decontamination, and long-term restoration.

As a supplement to the FRP, HHS has recently developed a Health and Medical Services Support Plan for the Federal Response to Acts of C/B Terrorism to coordinate the Federal public health and medical care response to an incident involving C/B materials, including biological agents. Public health and medical care response activities include assessment, triage, treatment, transportation, hospitalization, and followup of victims of a C/B incident.

#### *Assessment of Response Capabilities*

FEMA has been tasked by the NSC to review the adequacy of the FRP to respond to

nuclear, biological, or chemical (NBC) WMD terrorism incidents and to identify and remedy any shortfalls in stockpiles, capabilities, or training that would affect our ability to respond. Scenarios describing NBC WMD incidents were used to help Federal, State, and local responders focus on the capabilities that would be required and to assess the adequacy of current capabilities to meet response requirements. The Federal effort included a review of the coordination of consequence management activities with crisis management activities, an examination of the relationships among existing Federal interagency emergency plans, an assessment of the capabilities of the FRP to respond to an NBC WMD incident, the availability of medical capabilities for terrorism response, and procedures for military support of medical facilities and decontamination activities.

The assessment of the FRP and Federal capabilities focused on identifying shortfalls in stockpiles, capabilities, and training that would affect the Federal Government's ability to respond. In conducting the review and subsequent assessment, FEMA sought input from the 29 departments and agencies supporting the FRP. Comprehensive scenario-specific information was provided by key responding agencies including DOD, DOE, HHS, and EPA. Major findings from the assessment are grouped under the following categories:

#### *Planning and Coordination*

Need for baseline information on capability to respond at all levels.—Emergency planners at all levels lack adequate information on how local, State, and Federal responders are organized, equipped, and trained to respond to a terrorist incident. There is a need for a carefully structured national inventory of local, State, and Federal capability to respond to NBC WMD terrorist incidents.

Need for better Federal interface with State and local authorities in planning for and developing a mutually supportive NBC WMD response capability.—A comprehensive system is required to provide effective coordination across political jurisdictions for organizing, training, exercising, and responding to a credible NBC WMD terrorist threat or actual terrorist incident, including a strategy for developing and sustaining fully interoperable capability, coordinating training, exercises and evaluation procedures, and supporting mutual operations needs.

Need for a tailored and timely Federal response to support or augment local and State first responders.—Emergency response actions taken during the initial minutes and hours after an NBC WMD terrorist incident are critical. The capability of local and State first responders, augmented by the use of supplemental Federal resources, needs to be effectively understood and coordinated. Initial response options may be severely limited until reliable assessments are made of the NBC WMD consequences at the incident site; therefore, the enhancement of rapid assessment capabilities, including specialized information sharing systems for rapid identification of NBC WMD agents, needs to be a high priority.

Need to finalize the FRP Terrorism Incident Annex.—The draft FRP Terrorism Incident Annex responds to NSC guidance by linking existing Federal authorities, plans, and capabilities that would be implemented in response to a terrorist incident. The Annex was used to help structure preparedness measures for the 1996 Summer Olympic Games and other special events.

Need to prioritize the use of the transportation infrastructure to ensure rapid movement of critical, time-sensitive response resources.—Disaster response requires time-urgent actions by a large number of participants from the Federal, State, and local response communities. Unless prior planning and prioritization of critical lifesaving response resources are in place and appropriate discipline is maintained, critical elements of the coordinated Federal response in support of State and local authorities will not be available when needed. Plans for the response to an NBC WMD terrorist incident must include a prioritized listing of critical response assets and the assurance of the timely transportation, deployment, and support of time-sensitive critical resources.

Need to deal with a large number of victims impacted by an NBC WMD terrorist incident.—Planning needs to address the management of large number of potentially contaminated victims and/or the disposition of human remains resulting from an NBC WMD incident. Adequate means must be developed for identifying and tracking victims who may suffer immediate or longer-term consequences from exposure to NBC WMD materials, and who experience psychological trauma from actual or perceived injury or contamination. Appropriate implementing procedures, including public information and other preparedness measures, should be included in all training and orientation efforts.

Need to manage the stringent public safety measures in response to an NBC WMD terrorist incident.—Actions required to establish and maintain positive control of a potentially contaminated area involved in a terrorist incident will require aggressive and, at times, forceful action which is in sharp contrast to conventional disaster response operations. Immediate, assertive, and time-sensitive public safety actions might not be fully understood or accepted by local officials and the public. Therefore, public safety requirements need to be fully addressed in emergency and disaster planning in order to deal with the unique and demanding requirements of response to an NBC WMD terrorist incident in coordination with State and local authorities.

Need for fully coordinated, timely, and accurate emergency public information.—With different emergency organizations responding, assessing, and reporting through a variety of Federal plans and programs (with many having no prior experience operating together in an NBC WMD environment), critical information may not be fully coordinated. Technically accurate, complete, and time-sensitive information will be urgently required by the OSCs, national authorities, and the public. Procedures should be established that mandate the establishment and coordinated use of a single Joint Information Center (JIC) that serves the combined response community. Sources of technically accurate information need to be identified, and where appropriate, comprehensive and time-sensitive information on NBC WMD protective measures should be developed and prepositioned to ensure immediate availability. Procedures need to ensure that the JIC is responsive to the particular threat and changing requirements of each phase of the disaster response.

Need for an electronic information management and communications capability to facilitate response coordination.—There is no dedicated system for the electronic transfer of information among headquarters elements and other emergency operations centers at the national level. This lack of capability extends to State and local entities.

Also, there is no national system of priority cellular access by emergency response personnel that ensures cellular access and allows coordination of critical assets within the disaster area. There is a need to continue development of an interagency electronic transfer mechanism that provides a dedicated forum for the electronic exchange of critical emergency response information among Federal departments and agencies.

#### *Equipment and Training*

Need for specialized equipment and coordinated training for response to an NBC WMD terrorist incident.—Local, State, and Federal organizations and personnel, and private industry supporting critical infrastructures need to be adequately equipped and trained to respond to an NBC WMD terrorist incident. There is a lack of specialized equipment and training, as well as standardization and interoperability necessary to fully respond in a safe, timely, and effective manner. A national program is needed to provide standards and resources for the organizing, equipping, and training of emergency personnel responding to NBC WMD acts of terrorism. This approach should build upon existing national programs and capabilities wherever possible and also identify opportunities for mutual support and cost savings in the procurement of equipment, delivery of specialized training, conduct of exercises, and operational evaluations.

Need to adequately protect all responders.—Safety considerations for first responders and augmentees from all sources in the initial phases of consequence management need to be a major factor in planning and preparedness.

#### *Stockpiles*

Need for adequate medical supplies and pharmaceuticals to be available or stockpiled to respond to an NBC WMD terrorist incident in a timely manner.—HHS has noted that adequate medical supplies and pharmaceuticals are not prepositioned and readily available for timely use in response to NBC WMD incidents. Mitigating and antidote medications need to be stockpiled at multiple locations throughout the United States. These stockpiled medications should include specialty medicines, antidotes, diagnostic devices, and general medications for anticipated conditions resulting from a terrorist incident. The Department of Veterans Affairs hospital centers will serve as feasible stockpile locations in view of the multiple sites in the United States and distribution channels already in place. Discussion should also be initiated with specialty medicinal manufacturers regarding internal stockpiles of medications for immediate distribution to an incident site.

#### *Assessment Summary*

An NBC WMD terrorist incident may occur as a local event with potentially profound national implications. In responding to an NBC WMD incident, first responders must be able to provide critical resources within minutes to mitigate the effects of NBC materials. As the capability of the local government to deal with the immediate effects of an incident is essential to the success of any NBC WMD response, enhancing or building and maintaining the local capability with trained and adequately equipped responders are key components of a viable national terrorist response capability.

While the assessment of the FRP and Federal capabilities found some deficiencies in overall capability, it also identified several current capabilities being built upon or expanded to ensure a more viable national NBC

WMD responder capability. Current initiatives for supplementing existing plans, enhancing operations response capabilities, and increasing the availability of training are described in the Requirements for Improvements in Capabilities section of this report.

#### *ASSESSMENT OF FEDERAL CAPABILITIES TO SUPPORT STATE AND LOCAL PREVENTION AND RESPONSE EFFORTS*

##### *Crisis Management/Support Activities*

Many law enforcement, public safety, and emergency response agencies in the United States are well trained and equipped to handle the events surrounding many natural and technological emergency situations, such as improvised explosive devices (IEDs) or HAZMAT spills, without the involvement of the Federal Government. However, it is anticipated that the threatened or actual use of WMD will rapidly overwhelm local and State capabilities and require Federal assistance. In addition to advanced technological assistance available from Federal departments and agencies for the disablement, transport, disposal, and decontamination of such weapons and their effects, the primary jurisdiction for the resolution of a terrorist or criminal incident involving WMD also rests with the Federal Government; therefore, a Federal response deployment will be needed to augment the initial local response.

As the actions taken and notifications made within the first minutes of a response are critical to the ultimate resolution of the incident, first responders to a WMD incident need specialized training and equipment to ensure that their activities in response to the discovery or use of WMD are done in a manner that facilitates transition to Federal response operations. The FBI engages in a number of activities with State and local agencies to prevent and respond to acts of WMD terrorism, including planning, training, exercises, task forces, and intelligence sharing.

##### *Planning*

The FBI has been involved throughout the United States in developing plans to respond at a local level to a WMD event. Numerous FBI field offices have worked with State and local law enforcement and other emergency response agencies in planning the response to an event that incorporates the wide variety of resources that would be brought to bear on such an event. These plans are updated through continuous coordination and tested through various exercises.

Police, fire, and emergency medical personnel need to better understand the FBI's role in coordinating the response to a WMD threat or incident. To that end, the FBI is in the process of coordinating and disseminating national and local-level plans for a WMD event relevant to the activities of First responders. This effort is further described in the section on Requirements for Improvements in Capabilities. As discussed below, the FBI also has dedicated significant resources for planning the design and content of a first responder training initiative.

##### *Training and Exercises*

This past year, the FBI tasked all 56 of its field offices to conduct C/B WMD terrorism exercises in each of their regions in accordance with guidelines set forth in the FBI's C/B Incident Contingency Plan. This includes coordination and participation by other public safety agencies that would be involved in a C/B WMD incident, including first responders, regional offices of supporting Federal agencies, and State emergency management agencies involved in consequence manage-

ment. Each of the 56 field offices has taken action in response to this tasking, and all are in the process of planning and conducting C/B WMD exercises.

The FBI is actively engaged with FEMA and other Federal agencies in developing WMD training for State and local emergency First responders. In training First responders throughout the country, this program will incorporate material from all aspects of the response to WMD terrorism, including both local crisis and consequence management activities. The approach to training and equipping Federal, State, and local officials for managing a crisis involving a use or threatened use of a WMD, including the consequences of the use of such a weapon, necessarily requires an understanding of the training mechanisms and delivery systems already in place that address target audiences on related matters and, which, with some adaptation, could accommodate the WMD subject matter. Thereafter, an assessment of the audiences and curricula that remain unaddressed can then be made. Many excellent training courses are currently available across the nation from Federal agencies including FEMA, DOD, DOE, EPA, and various State agencies. The FBI is working to incorporate law enforcement concerns into such training, including evidence protection and preservation.

Another successful training initiative has been the DOE Nuclear Emergency Search Team (NEST), which supports the FBI as lead Federal agency in various threats involving nuclear material. Through an ongoing cooperative FBI/DOE program, nuclear-related briefings are provided by NEST personnel at FBI field offices throughout the country. As part of this program, the field offices invite State and local law enforcement agencies, as well as first responders, to these briefings. Through these briefings, participants are made aware of the resources available and are provided with an overview of how the Federal Government investigates, manages, and responds to nuclear-related events. To date, 40 FBI field offices, including the largest metropolitan divisions, have received NEST briefings, and additional field offices are being briefed each month.

In preparation for the 1996 Summer Olympic Games, the FBI conducted a series of NBC-related counterterrorism exercises, including tabletop, command post, and full-field exercises. These exercises included participation by FEMA, EPA, HHS-PHS, DOD, and DOE; Georgia and Alabama State public safety and emergency management agencies; as well as city and county public safety and emergency management agencies. In addition, the FBI actively participated in several exercises hosted by other Federal agencies in preparation for the Olympics that focused on possible terrorist incidents, including WMD scenarios.

The FBI actively runs the Awareness of National Security Issues and Response (ANSIR) program. The ANSIR program disseminates information to industry and the public in general concerning national security matters, particularly key issues dealing with terrorism, espionage, proliferation, economic espionage, targeting of the national information infrastructure, targeting of the U.S. Government, perception management, and foreign intelligence activities.

##### *Task Force/Intelligence Sharing*

The most effective response to any potential or actual WMD incident is a well-integrated effort across local, State, and Federal agencies. The FBI has been involved in a number of actions related to recent events within the United States. For example:



Federal and local components of the FBI participated in the 1996 Summer Olympic Games in Atlanta, GA, including pre-event WMD training scenarios previously discussed, various interagency task forces involved with event management and intelligence activities, and other activities in support of the event.

Domestic Emergency Support Team (DEST) components deployed in support of the 1996 Democratic National Convention in Chicago, IL. This deployment was the first of its kind under the DEST concept.

The FBI is participating in the development of the Metropolitan Medical Strike Teams (MMSTs), organized by HHS to respond to incident health and medical services requirements.

The FBI manages 12 standing law enforcement task forces throughout the country. These task forces include both local entities such as sheriffs and State police, as well as local representatives of Federal agencies such as the Immigration and Naturalization Service (INS), Secret Service, and the U.S. Marshals Service. These task forces are prevention-oriented groups that allow the exchange and coordination of intelligence and activities across the law enforcement community.

#### *Consequence Management/Support Activities*

Any assessment of Federal capabilities to support State and local response efforts must address the abilities of State and local governments to respond to an incident and their expectations related to Federal response and support. Obviously there is great variation in response capabilities between jurisdictions at both the State and local levels of government. Local and State capabilities to respond to the consequences of such an event also vary with the particular agent used and whether it involves NBC material. For example, States and communities in proximity to nuclear power plants have better developed capabilities for responding to nuclear incidents than those that are not. Similarly, States and communities in proximity to chemical weapon disposal sites will have expanded capabilities for responding to a terrorist event involving a chemical weapon. Finally, States and communities that have hosted special events that might pose a target for terrorism, such as the 1996 Summer Olympic Games, national political conventions, or high-visibility national conferences and gatherings, are likely to have more complete terrorism response plans than those that have not planned for such events.

FEMA has been working closely with State and local governments to determine the extent to which their response capabilities are adequate to meet the challenges of responding to a WMD incident. Results from a National Governors Association (NGA) survey, a training focus group involving metropolitan area jurisdictions, and discussions with fire and emergency management constituencies provide good feedback on general State and local capabilities and support requirements. The scenarios describing WMD terrorist events involving NBC agents used in the Federal assessment also were used to help State and local responders focus on the capabilities that would be required and to assess the adequacy of their current consequence management capabilities. While the formats used for assessing the capabilities differed, the findings from the local and State efforts were surprisingly similar to the Federal findings.

The following summarizes the findings regarding capabilities and deficiencies obtained from the NGA State survey and the

metropolitan area training focus group under the categories of planning and guidance, response resources, and training and exercises. Included is an assessment of Federal support capabilities required in each area.

#### *Planning and Guidance*

The majority of the 22 States responding to the NGA survey and all 4 of the cities participating in the terrorism focus group indicated that their plans address or include response to a terrorist incident; however, the responses also indicated that current planning is not adequate. Many participants in the metropolitan area focus group had limited understanding of the provisions of the Stafford Act (which authorizes and funds support for Federally declared disasters) and the assistance available under the Federal Response Plan. The metropolitan areas in general did not have a good understanding of the resources and support which the Federal Government could provide and how they would go about accessing those resources. The need to continue to stress the importance of communication and coordination between those responsible for crisis management and consequence management at all levels of government was noted by both State and local officials.

Other planning-related requirements included a need for a more thorough assessment and inventory of local response capabilities and expertise, expanded public awareness of the terrorism threat, additional planning for medical treatment and decontamination procedures (including management of mass fatalities), and legal guidance on the liabilities and authorities for governmental jurisdictions associated with response to NBC incidents. Many of these planning-related requirements parallel deficiencies noted in the State survey and the previously noted Federal assessment.

Significant progress has been made in defining the responsibilities of various Federal agencies in a terrorist event through planning initiatives, exercises, and Administration guidance. While Federal agencies are assisting their various counterparts at the State and local levels in terrorism planning to the extent that their resources allow, continuing integration of Federal planning with State and local planning is needed to ensure interoperability between plans at the various levels of government.

#### *Response Resources*

Resource requirements identified by both State and local governments include detection equipment, personal protective equipment (PPE), decontamination equipment and techniques, medical supplies, and access to technical information and additional trained response personnel. Most States and communities have some resources and capabilities in each of the above areas, but given the possible magnitude of the incident and the involvement of unfamiliar and potentially lethal agents, most local responders felt that their existing capabilities were either inadequate (for certain C/B agents) or would be rapidly overwhelmed.

While the Federal Government, especially DOD, DOE, HHS, and EPA, has relevant expertise and possesses some specialized equipment and supplies, the adequacy of the necessary equipment, supplies, and personnel to meet potential requirements and the Federal ability to get them to the incident site vary with both the particular resource required and the geographic location of the incident. Delays associated with getting the required equipment and technical expertise to the

site where they are needed will likely result in increased fatalities; however, costs associated with providing appropriate equipment and supplies to all localities nationwide are extremely high.

#### *Training and Exercises*

Most States and major metropolitan areas have personnel trained in emergency response and disaster management with training delivery systems. In terms of nuclear and chemical WMD, many of the principles of HAZMAT and radiological incident response (e.g., scene management, decontamination, etc.) will apply with some modifications or enhancements. Training developed by FEMA and the DOD Chemical Stockpile Emergency Preparedness Program (CSEPP) has direct applicability to terrorist events using chemical agents; however, relatively little training exists on management of incidents involving a biological agent. This is an area of concern for both State and local responders.

Most requirements noted by both the States surveyed and the metropolitan focus groups addressed the unique characteristics of C/B WMD agents and the associated protective measures for response personnel, incident management skills to deal with potentially large numbers of casualties, and the political and public affairs challenges associated with a terrorist incident. Specifically, they noted a need for (1) additional training for first responders on response actions for incidents (where the hazard is known versus unknown) and use of the appropriate PPE for the various agents; (2) training on how to use the media effectively, coordinate media messages, and minimize public panic; (3) training on how to plan for and manage victim and family assistance in a mass casualty event; (4) training and assistance on medical management issues including triage and decontamination procedures, using available medical resources, and how to deal with immediate and long-term treatment issues; and (5) multi-agency and multi-jurisdictional training and exercising to clarify roles and responsibilities and improve interoperability of plans and procedures.

With the possible exception of biological terrorism, there is considerable technical expertise and many existing training materials within the Federal community to address most of the requirements cited above; however, the size and diversity of the target audience compared with the resources available to deliver the training and to exercise plans limits the Federal Government's capability to provide the required support immediately, thus making this a multi-year effort.

#### *REQUIREMENTS FOR IMPROVEMENTS IN CAPABILITIES*

Assessments of Federal, State, and local capabilities to respond to WMD terrorist incidents have identified several areas where improvements are required. FY 1997 funds have been allocated to several agencies for WMD-related activities. The FBI has received \$133.9 million for Counterterrorism (CT) enhancements. These funds include increased staffing to conduct CT field investigations regarding WMD threats, infrastructure vulnerability, key assets, and international terrorism; resources for improving forensic and crisis management capabilities including specialized equipment, deployable laboratories and teams, training, and forensic database development; and other staffing and resources for improving WMD prevention and response.

Some \$15 million has been allocated to FEMA for consequence management planning and coordination, assessment and training, personnel and protective measures, and grants for specialized training and equipment for firefighters. Besides the above, additional funds have been allocated to DOD, HHS, DOT, and other Federal agencies for terrorism-related activities.

Several activities and initiatives are already under way to address requirements to improve capabilities for responding to the threat or occurrence of a WMD incident, focusing on training, equipment and capability enhancements, planning, exercises, new initiatives, and research and development to improve the overall local, State, and Federal response capability. All of these activities are being closely coordinated with those of local and State governments to ensure optimal sharing of knowledge and expertise in WMD, while deriving maximum benefit from available resources.

#### Training

This area involves training for individuals involved in all areas of WMD prevention and response. It includes developing and implementing an interagency strategy for meeting priority training requirements efficiently. Several facets of current training activities are described below.

The FBI is pursuing significant efforts to prevent a WMD incident from occurring through continued proactive and interactive training, planning, exercising, intelligence gathering, and technology applications involving crisis management and consequence management agencies.

The FBI continues with WMD-related interagency training involving nuclear and C/B incident contingency planning for FBI Headquarters personnel and field office managers. The FBI continues to coordinate with DOD and other government agencies to determine the best equipment, protective gear, and training available. Ongoing training related to successfully operating in a hostile WMD environment will be required for the FBI Hostage Rescue Team (HRT) and other FBI tactical personnel. Equipping and training of selected FBI field office Evidence Response Teams (ERTs) to augment the Hazardous Materials Response Unit (HMRU) in the forensic exploitation of potentially contaminated crime scenes will also be an ongoing activity.

DOD, in coordination with DOE, FEMA, and other Federal agencies, including the FBI, is providing WMD training to State and local first responders, including local and State police, and fire and emergency medical personnel who would most likely represent the initial response at the site of a WMD incident.

Since first responders will be required to establish preliminary perimeters, provide triage to victims, and conduct initial interviews, among other actions, their value to the ultimate success of the Federal Government in managing a WMD incident cannot be overestimated. Presently, most first responders have little, if any, specialized training in the WMD area, and as such, would become casualties at the incident scene.

FEMA, DOE, DOD, HHS, EPA, and the FBI support training to develop a strong State and local first responder infrastructure. Some generic training is already being recast to address WMD requirements. For instance, FEMA and DOD currently have in place a training program for first responders in areas near chemical weapon storage sites under the Chemical Stockpile Emergency Preparedness Program (CSEPP). A training

program based on CSEPP and tailored for police/fire/rescue personnel in all jurisdictions is in the initial stages of coordination with FEMA, FBI, and DOD. FEMA is also building on its training for first responders conducted through its National Fire Academy and Emergency Management Institute. In addition, other agencies, such as DOE, DOT, and EPA provide training through their normal programs that are applicable to terrorism response.

Funding targeted for training in WMD response is being provided through several different sources, as listed below by amount and agency:

- \$51 million from DOD to the Nunn-Lugar;
- \$5.3 million from FEMA in training grants, including firefighter training and equipment, to the States; and

- \$5 million from the Department of Justice (DOJ) for responder training and equipment.

Federal resources must be used effectively in meeting priority training needs of responders to the consequences of a WMD incident.

Federal resources will not meet all of the anticipated requests for dealing with the terrorist threat, especially in the area of training. To ensure a coordinated training approach, FEMA convened a Senior Interagency Group (SIG) on consequence management to provide policy-level guidance in the development of a Governmentwide terrorism training strategy, as well as to address other issues related to consequence management. In support of the SIG, an interagency Training Task Group (TTG) was established to identify training audiences and performance requirements, suggest training design (including delivery methodology), define the relationship to existing and ongoing training and capabilities, and set training priorities and plans for short-term and long-term activities. The SIG will continue to monitor results from the TTG and other task groups and provide additional guidance for implementation of an interagency training strategy, which includes the following elements:

- Prioritize training under Nunn-Lugar.—In response to DOD's request for guidance from FEMA and the interagency community on the most appropriate way to allocate training resources to meet training requirements specified in Nunn-Lugar, Section 1412, Emergency Response Assistance Program, the interagency strategy calls for allocation of Nunn-Lugar resources (including those provided to HHS for the development of the MMSTs in FY 1997) to target these resources to the 20 largest cities, plus any cities identified by the FBI as being at particularly high risk. Participating cities will be asked to complete an initial training needs assessment and Federal resources and expertise will be applied to meeting those needs, using existing training resources to the extent possible. This focus of Nunn-Lugar resources on the 20 largest cities will in no way preclude other target audiences (States, communities, etc.) from eligibility for other training available from FEMA and other Federal agencies or for training resources that may become available in the future.

- Continue to analyze training needs on the basis of performance requirements.—Using the training requirements identified during the FY 1996 assessment initiatives as a base, a list of performance goals for communities in preparing to respond to WMD incidents will be developed to serve as a basis for a community's own needs assessment efforts; however, needs assessment must be an ongoing process, since training needs will evolve over time as new equipment is fielded and experience gained.

- Compile a compendium of existing training.—As noted earlier, many courses and training materials already exist that, with minor modifications, can begin to meet immediate training requirements. FEMA will serve as the repository for information on existing training courses and materials.

- Share courses and delivery systems among agencies.—The previously noted compendium of training resources maintained by FEMA will facilitate sharing of courses and expertise among agencies, thus reducing duplication of efforts.

- Deliver existing or modified training in non-traditional ways.—Alternative delivery strategies will be needed to reach more people than are currently reached with classroom, instructor-based training. Use of independent study, computer-based training, satellite broadcasts, etc., will be considered in the overall delivery strategy.

- Develop new training for unmet needs.—It is anticipated that FY 1997 will be used for assessment and delivery of existing training and that development of new training will begin in earnest during FY 1998.

- Enhance interface with States and cities.—To increase the success of the Federal interagency effort, full partnering with the States and communities and constituencies will help ensure that limited resources are applied most effectively.

#### Equipment and Capability Enhancements

This area involves identifying equipment and capabilities needed for a WMD response. It includes stockpiling specialized equipment, enhancing the medical response system to include developing specialized teams and managing mass casualties for a WMD incident, developing a master inventory list of equipment and assets that can be accessed by local and State responders, and undertaking other initiatives to improve operational procedures, including rapid deployment of resources to the incident site and improving communications access.

The FBI is addressing the need for additional equipment for specialized teams operating in a WMD environment.—While the FBI relies on the support of other Federal agencies possessing specific technical expertise and equipment to respond to an NBC incident, those agencies do not have the law enforcement authority or expertise to collect and preserve evidence at a crime scene, nor to testify in court proceedings. In addition to the critical issue of evidence collection, the FBI may be faced with an incident that requires a tactical response in an environment contaminated with NBC material. The FBI currently possesses a limited capability to operate in such an environment; recent acquisition of funds will allow for the purchase of HAZMAT protective suits and equipment for HRT and all field Special Weapons and Tactics (SWAT) Teams. This acquisition followed by training will allow the FBI to enhance its capabilities to operate in a WMD environment.

HHS is enhancing the capabilities of the medical response system to address WMD requirements.—The requirement for immediate and significant medical response to save and protect lives in incidents involving C/B WMD agents has led to several HHS initiatives to enhance the capabilities of the existing medical response system. The enhanced system would include trained and equipped local first responders, MMSTs, specialized medical teams for use in areas without MMSTs, Chemical/Biological Rapid Deployment Teams (CBRDs), enhanced Disaster Medical Assistance Teams (DMATs), patient evacuation and definitive care capabilities of the National Disaster Medical System (NDMS), pharmaceutical caches, and a



nationwide network of facilities with specially trained staff equipped to treat WMD victims. Some of these activities are described below:

HHS continues work on developing MMSTs composed of technical and medical resources for responding to C/B incidents. The MMSTs provide a mechanism for immediate medical response while additional Federal resources are being mobilized and deployed. Each MMST operates as a specially organized, trained, and equipped team and includes capabilities for agent detection and identification, patient decontamination, triage and medical treatment, patient transportation to hospitals, and coordination with local law enforcement activities. After testing the concept in the Washington, DC, metropolitan area and at the 1996 Summer Olympic Games, the Washington, DC, MMST established its initial operational capability in January 1997, and was available to support the 1997 Presidential Inauguration. The goal is to establish a total of 100 MMSTs in the next 5 years.

HHS is developing three specialized national response teams, dispersed geographically throughout the nation, to augment local capabilities in areas without MMSTs.

The CBRDT is another capability developed by HHS providing a highly specialized, Federal, multi-agency C/B terrorist incident response, medical and health care, and technical assistance that supports the OSC for both crisis management and consequence management response.

HHS is enhancing 21 of the highest readiness level NDMS DMATs with specialized equipment and training to provide further response augmentation.

In concert with activities to enhance the medical response system, HHS is addressing the need to develop local response systems for the care of WMD victims. HHS is developing procedures for the handling of mass casualties that may result from a WMD incident to ensure that Federal resources will be available to augment local and State resources for dealing with a health problem of a large scale; however, a timely Federal response can only augment existing local capability and may not meet the needs of all of these victims.

Federal logistics support capabilities are being enhanced for WMD response.—FEMA is working with DOD, DOT and the General Services Administration (GSA) to enhance basic logistics support capabilities by developing a disaster transportation management system. The system will include a Time-Phased Force Deployment Data and List (TPFDDL) to pre-identify logistics requirements for specialized teams, equipment, and supplies needed to respond to an NBC incident and to then optimize their movement to an incident site on a priority basis. A Movement Coordination Center (MCC) is also being developed to coordinate the transportation and movement activities of the critical resources to the affected area.

FEMA is developing and implementing a Rapid Response Information System.—FEMA is developing guidance and format with data requirements for each FRP department and agency to use in compiling an inventory of its equipment and assets that could be made available to aid State and local officials in responding to a WMD incident. FEMA is working to ensure that FRP departments and agencies develop, maintain, and provide to FEMA their inventory lists for inclusion in a comprehensive Master Inventory, to be initially published by December 31, 1997, with annual updates. FEMA also

will develop guidance on accessing and using the physical equipment and assets on the Master Inventory List, including a system to give Federal, State, and local officials controlled access. In coordination with DOD, FEMA will also prepare a database on C/B agents and munitions characteristics and safety precautions for civilian use. The initial design and compilation of this database is to be completed not later than December 31, 1997.

#### Planning

This area involves enhancing Federal contingency plans as well as national and regional response plans to better address the WMD threat. It also includes the development of guidance for local and State responders.

Each FBI office is developing contingency plans for response to WMD incidents.—Each FBI field office has been requested to furnish an updated plan yearly with points of contact and area facilities that could pose a threat of a WMD incident, or could supply the agents needed for a WMD incident and resources that can be utilized to respond to the incident. Additionally all field offices have been tasked to maintain contingency plans that identify points of contact with regional emergency response agencies and to engage with local authorities in planned WMD exercises, review nuclear facility response plans, and proceed with other proactive initiatives to counter the threat of a WMD incident.

All FBI field offices with DOE or NRC facilities within their territory maintain site-specific nuclear contingency plans that are updated annually. These plans ensure that the FBI possesses all necessary information regarding each DOE or NRC site to enable an effective FBI response to an incident at any of these sites. Classified and unclassified Nuclear and C/B Incident Contingency Plans have been updated, revised, and disseminated to all FBI Offices and OSCs. This year, all FBI field offices were tasked to provide unclassified versions of these plans to management levels of first responders, i.e., police, fire, and emergency medical personnel, to ensure their understanding and coordination during a unified Federal response.

Federal emergency response plans are being refined to address WMD consequences.—The PDD-39 assessment validated the need to amend the FRP with incident-specific annexes to better address the unique aspects of the response to a terrorist event. The FRP Terrorism Incident Annex describes the concept of operations for a terrorism response involving the crisis management response, led by the FBI, and the consequence management response, led by FEMA. The Federal interagency community has concurred on the annex and it is scheduled for publication in early 1997.

FEMA is also developing planning guidance on terrorism response for use by FEMA Regional Offices to incorporate into their interagency Regional Response Plans that describe how the FRP is implemented at the regional level.

A draft FRP Radiological Incident Annex has been developed that describes the relationship of the FRP to the FRERP, which is used to coordinate Federal monitoring, assessment, and other technical resources in response to a radiological incident, including a WMD involving nuclear materials. The draft annex is being validated in several radiological incident exercises this year and is expected to be published in 1997.

State and local governments are being supported in improving plans for responding to

the consequences of a WMD incident.—States and localities face new planning challenges in preparing for response to a terrorist event using WMD. FEMA's experience in Oklahoma City and the feedback from the metropolitan area focus groups indicate a need for additional guidance by States and local governments for responding to a terrorist incident, including notification procedures, interface with law enforcement personnel, and access to unique Federal capabilities and resources. This is especially true for major metropolitan areas, where direct interface with Federal response personnel and unique Federal resources is more likely in a terrorist event than in a typical natural disaster; therefore, a terrorism supplement to the recently published Guide for All-Hazard Emergency Operations Planning is a priority for FY 1997. In addition to operational planning guidance, there is a need to ensure that Governors and other State senior policy officials are familiar with the challenges they may face in responding to a terrorist event. To meet this need, a popular NGA handbook, A Governor's Guide to Emergency Management, will be updated to address terrorism-specific issues.

#### Exercises

Improved plans and access to technical information, equipment, and supplies will do little to improve terrorism response capabilities without trained personnel who have had the opportunity to test plans and procedures and assume their roles and responsibilities in exercises. Therefore, while one goal for FY 1997 addresses the development of an interagency strategy for the delivery of training to State and local responders, a related goal focuses on a coordinated approach to exercising plans and procedures.

Agencies must test and evaluate plans, procedures, and coordination mechanisms for responding to a WMD incident.—Interagency WMD terrorism exercises are expensive and require extensive planning to ensure that all participating agencies most effectively test and evaluate their plans, procedures, and coordination mechanisms for responding to a WMD incident as part of the Domestic Emergency Support Team (DEST). Interagency participation in these exercises is vital to familiarize all members of the crisis management community with the command structures and functions of the various components.

Despite the high costs, continuous efforts must be made to exercise for possible WMD contingencies. The FBI is co-chair and an active member of an interagency planning group for exercises, which includes all Federal agencies with a role in response to terrorism as members. WMD scenarios have been the focus of most of the recent exercises and continue to be highlighted in future exercise planning. The FBI Crisis Incident Response Group (CIRG) plays a critical and essential role in all exercise planning deployments and response to credible incidents.

The FBI exercises with other Federal agencies extensively and anticipates participating in up to eight federally coordinated exercises and numerous State/local exercises annually. A full-field exercise should be scheduled and completed within the next two fiscal years.

Exercises will be used to test and improve consequence management response capabilities.—This effort addresses the need for improved understanding of and interoperability between response plans at various levels of government and responds to the previously noted requirement for multi-agency and multi-jurisdictional training and exercising

to clarify roles and responsibilities and improve interoperability of plans and procedures. FEMA's interagency National Exercise Schedule provides a mechanism for documenting and disseminating information on planned unclassified terrorism WMD exercises involving multiple agencies and/or levels of government.

Recognizing that terrorism consequence management plans and procedures are either under development or just being finalized, the FY 1997 Federal emphasis will be on tabletop exercises in each FEMA Region to familiarize regional and State responders with the new FRP Terrorism Incident Annex and associated roles and responsibilities. This will culminate in a functional consequence management exercise, ILL WIND, which is scheduled for late FY 1997 in the Washington, DC, area. In addition, FEMA and some States and localities will be involved in exercises sponsored by other agencies that will likely address both crisis and consequence management issues.

DOD recommends a multi-agency series of field exercises covering a wide range of C/B scenarios in order to build a solid understanding of potential C/B terrorism, and to systematically evaluate improved countermeasures to prevent and respond to such incidents.

Finally, the SIG has expressed interest in reviewing a coordinated terrorism exercise strategy similar to that developed for training. In interfacing with State and local governments, given the very limited resources available, Federal coordination on planned exercises and priorities for addressing deficiencies is essential. This Federal coordination will occur in the Interagency Working Group-Counterterrorism (IWG-CT) Exercise Subcommittee.

#### New Initiatives

Stemming from the FY 1995 National Defense Authorization Act is a joint FBI and DOD initiative, in coordination with the State Department, DOE, the U.S. Customs Service, the Department of Commerce (DOC), and the Intelligence Community (IC) to provide law enforcement officials, judges, and prosecutors from the Former Soviet Union (FSU) and Eastern Europe with training in countering nuclear/radiological smuggling/trafficking and C/B proliferation.

This 3-year initiative, which includes the training of officials from 3 to 12 FSU/Southern Tier countries at the International Law Enforcement Academy (ILEA) in Budapest, Hungary, or at the DOD facilities in Garmisch, Germany, is now under way. The initiative will also provide WMD detection equipment and training to law enforcement officials in their respective countries and undertake a review of each country's laws to recommend statutory changes to complement enforcement and training, as warranted.

The FBI Laboratory Division has developed the Hazardous Materials Response Unit (HMRU) to resolve scientific and technical aspects of illegal acts involving NBC and environmental incidents. The Laboratory Division has also coordinated with DOD and the Commonwealth of Virginia for training of FBI first responders and the Evidence Response Teams (ERTs) on how to function in tandem with the military in the hostile environment of a WMD incident. In this manner, a sworn FBI evidence expert will direct the collection and preservation of evidence, while at the same time, rely on military advice and assets in order to mitigate a C/B agent and for transport of C/B agents for examination purposes. To date, more than 50

ERT members from 6 major metropolitan field offices have been trained and equipped with HAZMAT protective suits.

#### Research and Development

The FBI is currently pursuing a number of research and development (R&D) efforts to enhance detection capabilities, disablement tools, advanced render-safe techniques, and new forensic tools for identifying terrorist bombings. R&D projects include development of explosive detectors, research on explosives residues, and development of a portable device for the analysis of explosives, drugs, and chemical warfare agents using Raman Spectroscopy. Other R&D projects aimed at providing first responders with the technical capabilities to safely and effectively contain a WMD incident include development of explosive ordnance disposal (EOD) countermeasures for large vehicle bombs, development of an affordable miniaturized robotics vehicle capable of delivering explosive disablement tools, identification of render-safe procedures for improvised C/B devices, enhanced explosive detection capabilities for civilian bomb technicians, and the development of methods to identify forensically and capture residues left by improvised explosive charges used by terrorists.

A number of agencies throughout the counterterrorism community participate in the Technical Support Working Group (TSWG), a subgroup of the NSC Interagency Working Group on Counterterrorism. The TSWG has the specific mission of conducting rapid research, development, and prototyping of counterterrorism technologies. Several different subgroups exist beneath the TSWG focusing on various aspects of counterterrorism. Continued funding of the TSWG and other research and development programs is critical to developing field-deployable technologies to deter, detect, prevent, and resolve potential WMD terrorist threats and incidents.

#### MEASURES TO ACHIEVE IMPROVEMENTS

Building upon current activities, the following describes the requirements for continued funding, legislative improvements, authorities, and research and development (R&D) initiatives to enhance current weapons of mass destruction (WMD) prevention and response capabilities.

#### Funding

FY 1997 funding is supporting a variety of activities deriving from existing NSC guidance, Nunn-Lugar initiatives, and other programs to determine requirements, assess and remedy shortfalls, and enhance capabilities for WMD prevention and response. To maintain and enhance capabilities, continued funding in FY 1998 and beyond is required to support training, equipment and capability building, planning, and exercises. This requirement for continued funding assumes that State and local governments are also willing to share some of the costs of the capability building.

In FY 1997, the coordinated interagency training strategy proposes to target the largest 20 cities to receive the majority of training and assistance provided via Nunn-Lugar, with the remaining resources spread among the many other jurisdictions and response groups. In FY 1998, additional jurisdictions are being added to increase the overall preparedness level of local governments to deal with WMD requirements. In support of this effort, training materials will need to be updated as plans and procedures are refined and responder needs are better defined.

Specialized equipment and protective gear for personnel operating in a WMD environ-

ment are required by the FBI and other agencies. The Rapid Response Information System will require annual updating to ensure that the resource and capability information being accessed by local and State response agencies is accurate and complete.

Continued interagency planning will be required to ensure close coordination among Federal departments and agencies and State and local emergency management agencies in dealing with WMD requirements.

Finally, most of the exercises planned for FY 1997 are Federal/State tabletop exercises that are relatively inexpensive to plan and deliver. In subsequent years, functional and full-scale exercises involving all levels of government will need to be developed and implemented to ensure full capability.

#### Legislation

On April 24, 1996, the President signed into law the Antiterrorism and Effective Death Penalty Act. This legislation, which was initially proposed by the President in the State of the Union Address in January 1995, represents the most significant and comprehensive antiterrorism legislative package ever enacted in the United States. Legislative proposals that remain relate to items that Congress dropped from the 1995 Administration proposal, or highly focused issues that have arisen in the course of administering existing law. Within this context, it is anticipated that DOJ will propose several items of legislation designed to enhance the Government's ability to combat terrorism.

The first priority for additional legislation remains Senate ratification of the Chemical Weapons Convention (CWC). The CWC is the best means to ensure the nonproliferation of chemical weapons and their eventual destruction by all nations. This Convention makes it illegal to develop, produce, acquire, stockpile, retain, transfer, use, own, or possess any chemical weapon, or to knowingly assist, encourage, or induce any person to do so, or attempt or conspire to do so. U.S. compliance with the CWC will require that changes be made to the existing criminal statutes relating to use of chemical weapons, 18 U.S.C. Section 2332c, and use of WMD, 18 U.S.C. Section 2332a. These legislative amendments have been drafted within DOJ and are currently undergoing review. Submission of such a legislative proposal would have to be closely coordinated with the Administration's efforts to achieve ratification of the CWC.

Although the CWC was not designed to prevent chemical terrorism, certain aspects of the Convention, including its implementing legislation and nonproliferation provisions, will augment existing law enforcement efforts to fight chemical terrorism. Implementing legislation required by the CWC will strengthen legal authority to investigate and prosecute violations of the treaty and raise the level of public alertness to the threat and illegality of chemical weapons. For example, the proposed U.S. implementing legislation contains the clearest, most comprehensive, and internationally recognized definition of a chemical weapon available, far more precise than the term "poison gas" contained in Title 18 of the Criminal Code. The definition contained in the implementing legislation will enable an investigator to request a search warrant on the basis of suspicion of illegal chemical weapons activity (such as production of a chemical weapon agent), rather than suspicion of conspiracy to commit terrorism, as exists under current U.S. law. By providing investigators and prosecutors a more precise legal basis for pursuing the development,



production, transfer, or acquisition of chemical weapons, CWC implementing legislation improves prospects for detection, early intervention, and possibly even prevention of chemical terrorism in the United States.

#### Research and Development

New or enhanced technical capabilities needed to counter increasingly sophisticated terrorist organizations include the ability to intercept advanced telecommunications, with a primary focus on wireless and satellite-based systems; improved tracking and physical surveillance technologies for weapons, explosives, etc.; automatic language translation and text/key word recognition; and technology to support surreptitious entry.

Current research and development funding is not adequate. Additional funding is needed to continue work on an in-depth chemical characterization of foreign explosives and for continued development of contraband detection technology. Additional funding would accelerate development in a number of key technologies, particularly communications interception, tracking, covert communications, and surreptitious access. These technologies are critical to the support of counterterrorism investigations, especially WMD-related threats.

#### ACRONYMS

AG—Attorney General  
ANSIR—Awareness of National Security Issues and Response  
ATSDR—Agency for Toxic Substances and Disease Registry  
C/B—Chemical/Biological  
CBR—Chemical/Biological/Radiological  
CBRDT—Chemical/Biological Rapid Deployment Team  
CDC—Centers for Disease Control and Prevention  
CIRG—Crisis Incident Response Group  
COA—Course of Action  
CRMER—Center for Risk Modeling and Emergency Response  
CSEPP—Chemical Stockpile Emergency Preparedness Program  
CT—Counterterrorism  
CWC—Chemical Weapons Convention  
DEST—Domestic Emergency Support Team  
DMAT—Disaster Medical Assistance Team  
DOC—Department of Commerce  
DOD—Department of Defense  
DOE—Department of Energy  
DOJ—Department of Justice  
DOS—Department of State  
DOT—Department of Transportation  
DTL—DEST Team Leader  
EMS—Emergency Medical Services  
EOD—Explosive Ordnance Disposal  
EPA—Environmental Protection Agency  
ERT—Evidence Response Team  
ESF—Emergency Support Function  
FBI—Federal Bureau of Investigation  
FDA—Food and Drug Administration  
FEMA—Federal Emergency Management Agency  
FOSC—Federal On-Scene Coordinator  
FRERP—Federal Radiological Emergency Response Plan  
FRMAC—Federal Radiological Monitoring and Assessment Center  
FRP—Federal Response Plan  
FSU—Former Soviet Union  
FY—Fiscal Year  
GSA—General Services Administration  
HAZMAT—Hazardous Materials  
HHS—Department of Health and Human Services  
HMRU—Hazardous Materials Response Unit  
HQ—Headquarters  
HRSA—Health Resources and Services Administration

HRT—Hostage Rescue Team  
IC—Intelligence Community  
IED—Improvised explosive device  
IICT—Interagency Intelligence Committee on Terrorism  
ILEA—International Law Enforcement Academy  
INS—Immigration and Naturalization Service  
IWG—Interagency Working Group  
IWG-CT—Interagency Working Group—Counterterrorism  
JABC—Joint Atomic Energy Intelligence Committee  
JIC—Joint Information Center  
JOC—Joint Operations Center  
MCC—Movement Coordination Center  
MMST—Metropolitan Medical Strike Team  
MSU—Medical Management Support Unit  
MTAG—Missile Trade Analysis Group  
NAREL—National Air and Radiation Environmental Laboratory  
NBC—Nuclear, Biological, or Chemical  
NCP—National Contingency Plan  
NDMS—National Disaster Medical System  
NEIC—National Enforcement Investigations Center  
NEST—Nuclear Emergency Search Team  
NEVWG—Nuclear Export Violation Working Group  
NGA—National Governors Association  
NIH—National Institutes of Health  
NRAT—Nuclear/Radiological Advisory Team  
NRC—Nuclear Regulatory Commission  
NRT—National Response Team  
NSC—National Security Council  
OEP/OPHS—Office of Emergency Preparedness/Office of Public Health and Science  
ORIA—Office of Radiation and Indoor Air  
OSC—On-Scene Commander  
PDD—Presidential Decision Directive  
PHS—Public Health Service  
PPE—Personal Protective Equipment  
R&D—Research and Development  
RRT—Regional Response Team  
SAC—Special Agent-in-Charge  
SAMHSA—Substance Abuse and Mental Health Services Administration  
SIG—Senior Interagency Groups  
SWAT—Special Weapons and Tactics  
TEU—Technical Escort Unit  
TPFDDL—Time-Phased Force Deployment Data and List  
TSWG—Technical Support Working Group  
TTG—Training Task Group  
U.S.—United States  
USCG—U.S. Coast Guard  
USDA—United States Department of Agriculture  
USG—United States Government  
WMD—Weapons of Mass Destruction

□ 1430

#### SOCIAL SECURITY AND THE BALANCED BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 60 minutes.

Mr. NEUMANN. Mr. Speaker, at 3:30 this afternoon there is going to be a very important announcement made, as I understand, from the Senator who holds the deciding vote on perhaps the most important piece of legislation that has faced this body for a long time, and that is the balanced budget amendment to the Constitution of the United States.

As we understand the vote totals in the Senate right now, if he announces that he is going to vote in favor of the balanced budget amendment, there are enough votes in the Senate to pass the balanced budget amendment to the Constitution of the United States. And that would put us as a Government, provided it can be passed through the House of Representatives, in a position where for the first time since 1969, we would be required to actually balance the Federal budget.

I have asked for this time today to address my colleagues on the issue of balancing the Federal budget, the balanced budget amendment, why it is so important and how the issue relates to Social Security and other trust funds, and most important of all, how it relates to our children and our children's future and the opportunity for our children to make a living in this Nation and the opportunity for our children to live the American dream, the same kinds of chances and opportunities that we have had.

I would like to begin this discussion today by showing a chart that I have been showing now for about 5 years, and it literally shows the growth in the debt facing the United States of America. A lot of people do not think that the Federal debt has anything to do with them personally or with their lives, but the reality is when the U.S. Government borrows money it is borrowing money on behalf of the American people, and the responsibility to repay that money will rest with our children. The legacy that we are going to leave our children is this ever-growing debt.

I would point out on this chart that the debt from 1960 to 1980 grew very little, but from 1980 forward, the bulk of the debt is fast enough and sharp enough that it can bring our Nation to its knees if it is not stopped. Our Nation today stands \$5.3 trillion in debt. That is approximately \$20,000 for every man, woman, and child in the United States of America, and to all of my colleagues on the Democrat side of the aisle who look at 1980 and say, well, that is Ronald Reagan's fault and to all of my Republican side of the aisle who look at the Democrats and say, it is the Democrat Congress' fault, I think it is time that we, not as Republicans or Democrats, but as the American people, face up to a very serious problem facing the United States of America, and that is an ever-growing debt picture.

I personally have three teenagers in my house, and when I talk about kids I talk about my kids and other kids like them all across America. This is the legacy that we are passing on to our children in this Nation, and something needs to be done about it and done now.

I have watched with great interest as some of our Senators on the other side

of the aisle and some of our House colleagues have talked about the balanced budget amendment and say, well, we do not really need a balanced budget amendment to the Constitution of the United States. Congress can just go ahead and balance the budget all by itself, it already has the tools it needs. To those people I would ask them simply to look at history. History tells us that since 1969, even though Congress did have all of the tools, they have literally every single year since 1969 spent more money than what they collected from the American people.

That is why we need a balanced budget amendment. For those who say we do not need an amendment to our Constitution, I would simply ask them to think of the Gramm-Rudman-Hollings Act passed in the middle 1980's, Gramm-Rudman-Hollings II, the budget deal of 1990, the budget deal of 1992, and our most recent budget deal of 1994, and then I would like them to look at the spending levels that occurred after those budget deals and say, we do need a balanced budget amendment to the Constitution if we are actually going to get this job done.

It is an important issue, however, that relates to the balanced budget amendment that is currently being discussed with a great deal of interest on both sides of the aisle and that is the Social Security issue. It is important to understand how Social Security relates to the balanced budget amendment, and to begin that discussion I would like to just point out how much money is coming in to the Social Security system and how much is being paid back out to our seniors in benefits.

This year alone, the Social Security system will collect \$418 billion out of the taxpayers' paychecks. That is, when you look at your paycheck and you see the money being withheld, the total sum of the money being withheld is \$418 billion. The Government is writing checks back out to our senior citizens of \$353 billion this year; that leaves a surplus.

The idea is they are supposed to be collecting more money in Social Security than what they are paying back out to the senior citizens in benefits. That extra money is supposed to be set aside in a kitty. The kitty is supposed to be growing bigger and bigger, so why do these two numbers change around? That is, there is not enough money coming in to make the payments to our senior citizens. They can at that point go to the kitty and make good on the checks.

Well, here is what is happening in our Government today. Remember, we are collecting more money than we are paying back out to our seniors in benefits. Unfortunately, the Federal Government today is not handling that money properly. What is happening today is that \$65 billion is going di-

rectly into the Government's big checkbook. You can think of it as a general fund or just like your own personal checkbook.

They put that \$65 billion into the checkbook. We all know we are running a deficit. The deficit means they are writing out more in checks than what they are collecting. So they are taking the \$65 billion, putting it in their checkbook, overdrawing their checkbook and there is no money left. So at the end of the year since there is no money left in their checkbook because they have overdrawn it, that is the deficit, they simply write an IOU to the Social Security trust fund. Make no mistake about this, folks. There is no money in the Social Security trust fund. It is a pile of IOU's. This is a practice that must be stopped if we wish to preserve Social Security.

I have introduced legislation, and I am happy to say I have the support of 50 of my colleagues at this point in time. Our legislation would require the Federal Government to put that \$65 billion directly into the Social Security trust fund. Why is this issue important? Well, everybody talks about Social Security as being safe and secure through the year 2029, and then everybody's eyes kind of glaze over. Well, here is the facts of the situation.

If this money is not put into the Social Security trust fund, as I am suggesting here, if we continue the practice of doing nothing but putting IOU's in the Social Security trust fund, the Social Security account is in trouble, the best case scenario in the year 2012 and realistically in the year 2005 or 2006.

Let me put this another way and bring it back to our kids and our working families in America today. In the year 2000, 2005, 2006, exactly when my kids graduate from college and will be having their own families and having their own children, like other kids like them all across America, at that point in time the Federal Government is going to have two choices since they have not done this. The Federal Government is either going to have to go out to senior citizens and say I am sorry, there is nothing but IOU's in the trust fund and we cannot make good on our payments to you, or they will go out to our families, like my kids graduating from college, starting their own families, and they will have to say, we need more money out of your paychecks.

Folks, we are not talking about decades away; we are talking about 2005, 2006, and in the best case scenario 2012, that we cannot make good on our Social Security payments to our senior citizens. The only two choices left at that point in time are reduced benefits to our seniors or collect more taxes from our working families in America. I, for one, am not willing to accept either one of those alternatives.

This bill that we have introduced, the Social Security Preservation Act, it needs to be passed and it needs to be passed in the near future so that we start putting real assets down here in the Social Security trust fund and, if the shortfall occurs, we will then have a savings account to go to to get the money to make good on our payments to our senior citizens without asking our working families for more out of their paychecks. They work too hard right now to earn the money that they earn for this Government to go and demand more out of their paychecks.

How does this whole discussion relate to the balanced budget amendment? Well, let me relate it to the balanced budget amendment. First, when we report the deficit right now, we simply report the amount of money that the Government is spending more than it is taking in. It is sort of like your own checkbook. They report the overdrawn check part of it. But remember, they are putting the \$65 billion into their checkbook.

So when the deficit is reported by our Government today, when Washington reports the deficit to the American people, we only report \$107 billion and we do not tell the American people that in addition to that \$107 billion we are spending \$65 billion more out of the Social Security trust fund. So when we talk about our deficits, we only report this blue area in the chart.

When we talk about balancing the Federal budget, here is how it works. When we talk about balancing the Federal budget, what we are talking about is this blue area. We are talking about getting to a point where the Federal Government takes in as much money as they are spending out, but at that point will still be spending the Social Security trust fund.

So make no mistake about this. When the people say, when the President's budget says he is going to be balanced in the year 2002, what the President really means is that he is going to make his budget look balanced by going into the Social Security trust fund and taking \$104 billion out and applying it as a credit toward the deficit.

Let me say that again so there is no mistaking what is going on in this town. When the people in Washington say they are going to balance the Federal budget, what they really mean is that they are going to make the budget look balanced by going into the Social Security trust fund, taking the money that is supposed to be there and applying it toward the deficit.

In the year 2002, when everybody talks about a balanced budget, in the year 2002 when everybody says the budget is going to be balanced, what they really mean is that they are going to make the budget look balanced by taking \$104 billion out of the Social Security trust fund and applying it to the



deficit so that the deficit appears zero. That practice is dead wrong, and that practice needs to be stopped if we hope to have Social Security in the future.

I would like to talk a little bit about what has happened over the last 1 1/2, 2 years. I have only been here 2 years, and I would like to talk a little bit about what has happened and the positive potential for this country and how we can accomplish this without, quote, "cutting spending".

□ 1445

In the last 2 years since I have been here, for the first time in a generation we actually went into one part of the budget and reduced spending.

The budget is divided into 3 parts: interest; mandatory spending, which includes Social Security, Medicare and so on; and discretionary spending. Discretionary spending is the only part that is actually voted on year in and year out here in Washington, DC.

We went into discretionary spending and we reduced spending by \$50 billion. For those of my colleagues that know the gentleman from Louisiana [BOB LIVINGSTON], a lot of the credit goes to our chairman of the Committee on Appropriations for this effort. They brought down spending by \$50 billion. That meant that \$50 billion remained available in the private sector.

With an additional \$50 billion available in the private sector, here is what happened. It is no surprise. More money available in the private sector meant the interest rate stayed down; more money available, a larger supply, lower interest rates. It follows very logically.

With lower interest rates, people were able to afford to buy houses and cars. When they bought houses and cars, other people had to go to work building the houses and cars. When they went to work building the houses and cars, they left the welfare rolls and started paying taxes in. It works, folks. The possibility of balancing the Federal budget without raising taxes on the American people works. We have got some good news. The economy, because of his efforts to reduce government spending, leaving more money available in the private sector, the economy performed much better than expected.

The good news that we have is that we can balance the Federal budget without using the Social Security trust fund simply by holding spending to the levels that were proposed last year. But again, to my colleagues, I want them to understand that when we found out the economy was doing better than anticipated and there was this extra revenue coming in, in this community, in Washington, DC., the first thing I saw was people doing this with their hands. I want you all to see this, because what they are doing is just wringing their hands, waiting to get

their hands on that money so they can go and spend it.

Mr. Speaker, I want the Members to understand when they go and spend that money, that is money coming right straight out of the Social Security trust fund, and they ought to leave their hands off that money. The purpose of passing the Social Security Preservation Act is to force the people in Washington to leave their hands off the money that belongs in the Social Security trust fund.

So again, let me make this perfectly clear. Because the economy is performing better than anybody expected, we can now put the money away in the Social Security trust fund, as we should do, without harming the other spending levels as proposed last year.

So the good news is that if we just live up to what passed through Congress last year, we can balance the budget, put the Social Security money aside and do what is right for the future of this country, so our children have the same sorts of opportunities that we had as we were growing up during the last generation.

I have a couple more charts. I brought these charts with me to show the difference in the balanced budget amendment that is being proposed with what the American people are being led to believe by our colleagues here in the House, versus the reality of what is actually happening in the balanced budget amendment.

This first chart shows what I believe the American people think is going on in Washington, DC., and certainly what the people in Washington, DC. are trying to lead the American people to believe. That is that the deficit is going to continue through the year 2002, but after the year 2002, since we have a balanced budget there will be no increase in the debt. This is the line that should exist if we had a true balanced budget in the year 2002. The debt would not keep climbing.

Let me show Members another chart as to what is actually going to happen. Under the balanced budget amendment that is being proposed and being discussed out here, and again I have to say it is better than where we are today, but under the balanced budget amendment as it is currently written, if the Social Security money is not set aside, here is what the debt growth looks like. The debt grows now from the year 2002, and after the year 2002 the debt continues to grow.

So even though we have reached a balanced budget and the American people are being led to believe that means the debt is not going to keep growing, if the Social Security money is not set aside, the reality is that even under the balanced budget amendment that is being passed out here right now, the debt will continue growing after the year 2002 if our Social Security Preservation Act is not passed into law.

I cannot say how important this is, not only to senior citizens, but to people in their forties and fifties who are expecting to get Social Security in the not distant future, and also to the people who are under age 40 who will be threatened with higher taxes, and with no ability to at some point start setting some of their own money aside, instead of paying into the Social Security system. I can't tell Members how important it is that we get the Social Security Preservation Act passed.

My colleagues, I know, are hearing from many of the people in their districts and their constituents on a very regular basis on this issue. I contend that the only way to solve this problem is not through people like myself here in Washington, but rather when the American people get involved.

I encourage my colleagues, call our office for a copy of these overheads. We will get them to you so you can take them out and show the American people exactly what is going on. Then let us get this situation solved so that it is fair, and we can hope to have Social Security for our senior citizens in the future.

I would like to kind of go back, before I conclude today, I would like to kind of go back and review one more time exactly what the situation is with Social Security, so any of my colleagues who are watching and missed part of this might pick it up. Again, I am going to start with the Social Security system.

The Social Security system today is collecting \$418 billion. It is going into the paychecks of our constituents and it is literally taking out \$418 billion. It is collecting that money in taxes. It is paying out in benefits to our senior citizens \$353 billion. That leaves a surplus of \$65 billion.

That surplus money is supposed to be set aside into a kitty. It is supposed to be an ever-growing kitty, so when there is not enough money coming in and there is too much money going out, they can go to that kitty.

This is no different, Mr. Speaker, than it is in Members' own savings accounts and checkbooks. Now there is more money coming in than what is going out, so you establish a savings account. If you lose your next election, you may have more money going out of your checkbook than what you have coming in. You go to your savings account, get the money, and make good on your checks.

That is how Social Security is supposed to be working. They are collecting more money than they are paying back in benefits, \$65 billion this year alone. The money is supposed to be set aside in the Social Security trust fund. Today what is happening with that money, it is going directly into the general fund. They spend all the money out of the general fund or the big Government checkbook, and

when they are done spending the money, there is no money left to put in the Social Security trust fund, so they very simply put an IOU down there.

I have a chart that shows that. That is \$65 billion they are collecting over and above what they are paying out in benefits that is going directly into the general fund, the big Government checkbook. They spend all the money out of the big Government checkbook, there is nothing left, so they simply put an IOU down here in the Social Security trust fund.

That is what is going on today. We have legislation on the floor today that has been proposed that would change that procedure. What our legislation would do, and it is called the Social Security Preservation Act, it would force that \$65 billion to be put directly into the Social Security trust fund.

Why is that important? If there are nothing but IOU's in the Social Security trust fund, we will not be able to make our payments to senior citizens in Social Security by the year 2012, and I repeat, 2012. That is when Social Security is in trouble if this bill is not enacted. In all probability, when Washington says 2012, they actually mean 2005, 2006.

If this bill is not enacted, we are looking at a situation not very far down the road where we are going to have two choices in Washington: Charge more taxes of our working families, go out to our young couples and ask them to pay more taxes in, or cut benefits to seniors. I do not think either one of those are accepted.

Make no mistake about it, this money today is currently being wasted on other Government programs. This whole issue is related very directly, it is related very directly to the whole discussion on the balanced budget amendment. Here is why.

In the balanced budget amendment, in the balanced budget amendment, the balanced budget amendment talks about the amount of money that the Federal Government is spending more than it is taking in. It does not mention the fact that this \$65 billion, that this is not being included in the deficit. As a result, the deficit is actually much higher than it appears.

When we talk about the balanced budget amendment we simply mean we are going to get rid of this blue area in the chart. That is the area where we have cash flow going out more than coming in. We do not mention the fact that even in the year 2002, when everybody in Washington is telling the American people that the budget is balanced, in the year 2002 when the President says he is going to balance the budget, what the President actually means and the rest of the people in Washington, what they actually mean is they are going to balance the budget by going into the Social Security trust fund, taking the money out of the So-

cial Security trust fund, applying it to the deficit, and making the budget look balanced because they took the money out of the Social Security trust fund.

This is inexcusable as a Nation that we would allow this to go forward. It is absolutely inexcusable to me that we as a Nation would say and lead the American people to believe that we are balancing the Federal budget when in fact we are taking the money out of the Social Security trust fund to make it look balanced.

How does that impact things? Well, the American people are being led to believe that once we hit the year 2002, there will be no more growth in the debt. They are being led to believe that the debt will grow through the year 2002, but then since the budget is balanced there would be no more growth in the debt and it would remain steady at that point.

I have to tell the Members, in our budget plan, the plan that I put forward, the debt would start going back down after the year 2002. We would actually start paying the debt off, which is something we ought to be doing.

The facts are when the balanced budget amendment is passed, what is actually going to happen is the debt is going to keep going up through the year 2002, and then, since we are not counting the fact that we are borrowing the Social Security trust fund money, the debt is actually going to keep rising, even after the year 2002. So instead of the debt going down, or at least staying steady so our children can have hopes of a bright future, instead of that, the debt will keep going up if our Social Security Preservation Act is not passed.

Again, the emphasis here is on the future of this Nation as we look forward. I would just add one more thing as we are looking at this chart. It seems to me that not only should we not let the debt keep growing, as a Nation, not only should we be responsible as a generation to not pass more debt on to our children, but what we should do is get to that point of a balanced budget and then start paying the debt down.

Out here in Washington that is kind of a novel idea. When I go to town hall meetings in Delavan and Janesville and Kenosha and Racine, Wisconsin, people ask me about the debt. They ask me, hey, MARK, after the balanced budget, don't you think you ought to pay that debt down? It is going to be \$6.7 trillion when you get to a balanced budget. By the time we get to a balanced budget in 2002, we are going to be in debt \$25,000 for every man, woman, and child in the country. Do you not think you ought to do something about paying down the debt?

I agree with my constituents. I agree with those people at the town hall meetings. Not only should this thing

not be allowed to continue the upward pattern that appears in this chart, it should start going back down, so we as a generation can look forward to passing our Nation on to our children debt-free.

Everybody in Washington goes, well, we cannot possibly do that. Let me lay out for my colleagues exactly how we can in fact pay off the debt by the year 2025 and pass this Nation on to our children debt-free.

Revenues are growing to the Federal Government for two reasons: They grow at the rate of inflation, plus the rate of real growth in the economy. So if we think about this, the amount of taxes that the Government is collecting, the amount of revenue coming into the Government, it gets bigger because of inflation.

If you get a pay raise next year, when you get that pay raise you may pay a little more taxes. That is inflation. In addition to inflation, in addition to inflation the Government gets more revenue because the economy gets bigger. That is, when the economy is bigger, somebody is making a profit over that additional business that is being done, and they therefore pay more taxes in, so revenues to the Federal Government grow not at the rate of inflation, but rather, at the rate of inflation plus real growth in the economy.

How can we make this line go back down? How can we pay that debt off so our children could receive our Nation debt-free? This is how we do it. After the year 2002 when we reach a balanced budget, we cap spending growth at the Federal level at a rate 1 percent below the rate of revenue growth.

Remember, revenue goes up at the rate of inflation plus real growth in the economy. If we simply cap spending increases at a rate 1 percent below the revenue growth, we would in fact create a surplus, because we were at balance. If revenues go up by 5 percent, spending goes up by 4 percent, that creates a surplus. That is the surplus that could then be used to first put the money back into the Social Security trust fund that has already been taken out, but second, to start paying down the Federal debt so we would have hopes of passing this Nation on to our children debt-free.

I have to tell my colleagues that in terms of service here in Washington, I came here really for two reasons. I came here to get a balanced budget and to solve this problem facing the Social Security system. To me, it is not about all these charts and it is not about Perot's charts and graphs, it is not about numbers. It is about the opportunities that we hope to have for our children. It is about whether or not our children are going to have the opportunity to live the American dream in this great Nation of ours.

Make no mistake about it, we are currently in a situation where a 1 percent change in the interest rate, just 1



small percent change in the interest rate, adds \$50 billion to the deficit. Two percent is \$100 billion to the deficit.

If the deficit starts exploding, the only thing the Government can do is print the money. When they print the money, that is more inflation. When they have more inflation, we, of course, have higher interest rates. Higher interest rates is a higher deficit. So the spiral goes.

As that goes on, Mr. Speaker, we need to understand that when the interest rates go up, our young people, our hardworking families, the people that get up every morning and go to work, they cannot afford the higher interest rate that would be applied to their home mortgage or to their auto loans. As those interest rates go up, people can no longer afford to buy houses and they can no longer afford to buy cars. The end result is that means we do not need as many people building houses and cars.

□ 1500

When the people are not building the houses and cars, of course, that means there are no job opportunities. So what we are really talking about here, when we talk about balancing the budget, we are talking about the Government staying out of the private sector. We are talking about making the Federal Government smaller and less intrusive in our lives.

As the Government quits borrowing that money out of the private sector, leaves more money out there in the private sector, that means with more money available we can expect the interest rates to stay down. When the interest rates stay down, that means people can afford to buy houses. They can afford to buy cars.

And I have to tell you, this is the hope for the future of America. Because when they can afford to buy houses and cars, the poor people in this country are going to have opportunities to have a job because somebody has to build those houses and somebody has to build those cars. That is the hope; that is welfare reform.

Welfare reform is a job opportunity for the people that are not currently working. Welfare reform is the Federal Government quitting spending more money than it has, leaving the money in the private sector so the interest rates stay down so people can afford to buy houses and afford to buy cars in this Nation of ours and people go to work building those houses and those cars. That is job opportunities. That is the welfare reform that we need to talk about in this Nation. That is the hope for my children's future.

When I say "my children," I do not just mean MARK NEUMANN's children, I mean all the kids that are teenagers. The three teenagers in my house, yes, they are going to be out of school in 5 years, but there are going to be mil-

lions of teenagers out of school in 5 years. What we are talking is whether those kids are going to have the opportunity to start with a job, to get promotions, and then go through their lives and to provide a better living for themselves and their family as they, too, attempt to achieve the American dream.

That is what this issue is all about. It is not about numbers. It is not about all these charts. It is about our kids. It is about whether or not our kids are going to have the same opportunities that we have had. It is about our senior citizens who have been promised Social Security, and it is about whether or not this Government can make good on those promises to our seniors without destroying the opportunities for our kids. That is what this whole discussion is about.

I conclude today by simply encouraging the support of a balanced budget amendment to the Constitution and encouraging the support of the Social Security Preservation Act so we get both jobs done at the same time and make this place much more credible with the American people and, again, arrive at a point where our children can achieve the American dream.

#### RULES OF PROCEDURE FOR THE COMMITTEE ON APPROPRIATIONS 105TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 5 minutes.

Mr. LIVINGSTON. Mr. Speaker, pursuant to the requirement of clause 2(a) of rule XI of the Rules of the House, I submit herewith the rules of the Committee on Appropriations for the 105th Congress. The committee rules were approved by the full committee on February 5, 1997, and amended on February 12, 1997.

*Resolved*, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Fourth Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Fifth Congress.

The foregoing resolution adopts the following rules:

##### SECTION 1. POWER TO SIT AND ACT

For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House of Representatives, the Committee or any of its subcommittees is authorized:

(a) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and

(b) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary. The Chairman, or any Member designated by the Chairman, may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection 1(b) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection 1(b) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed by the House.

##### SEC. 2. SUBCOMMITTEES

(a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.

(b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.

(c) All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.

(d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee. The Chairman is authorized to negotiate that ratio with the Minority; *Provided, however*, That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than that ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are authorized to sit as a member of all subcommittees and to participate, including voting, in all its work.

##### SEC. 3. STAFFING

(a) Committee Staff—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in Clause 6(c) of Rule XI of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

(b) Assistants to Members—Each of the top twenty-one senior majority and minority Members of the full Committee may select and designate one staff member who shall serve at the pleasure of that Member. Such staff members shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in Clause 6(c) of Rule XI of the Rules of the House of Representatives; *Provided*, That Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee work.

##### SEC. 4. COMMITTEE MEETINGS

(a) Regular Meeting Day—The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session, unless the Committee has met within the past 30 days or the Chairman considers a specific meeting unnecessary in the light of the requirements of the Committee business schedule.

## (b) Additional and Special Meetings:

(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at the special meeting.

(c) Vice Chairman To Preside in Absence of Chairman—A member of the majority party on the Committee or subcommittee thereof designated by the Chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at the meeting.

## (d) Business Meetings:

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or its subcommittees, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed.

## (e) Committee Records:

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a roll call is demanded. The result of each roll call vote shall be available for inspection by the public during regular business hours in the Committee Offices. The information made available for public inspection shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) All hearings, records, data, charts, and files of the Committee shall be kept separate and distinct from the congressional office records of the Chairman of the Committee.

Such records shall be the property of the House, and all Members of the House shall have access thereto.

(3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule XXXVI of the Rules of the House, except that the Committee authorizes use of any record to which Clause 3(b)(4) of Rule XXXVI of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to Clause 3(b)(3) or Clause 4(b) of Rule XXXVI of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.

## SEC 5. COMMITTEE AND SUBCOMMITTEE HEARINGS

(a) Overall Budget Hearings—Overall budget hearings by the Committee, including the hearing required by Section 242(c) of the Legislation Reorganization Act of 1970 and Clause 4(a)(1) of Rule X of the Rules of the House of Representatives shall be conducted in open session except when the Committee in open session and with a majority present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

## (b) Other Hearings:

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority present determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance the number required under Section 5(c) of these Rules to be present for the purpose of taking testimony, (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Clause 2(k)(5) of Rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in Clause 2(k)(5) of such Rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; *Provided, however*, That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the

Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing before the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(c) Quorum for Taking Testimony—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

## (d) Calling and Interrogation of Witnesses:

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon request to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

(e) Broadcasting and Photographing of Committee Meetings and Hearings—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, except as provided in paragraph (f)(2) of the Rules of the House of Representatives. Neither the full Committee Chairman or Subcommittee Chairman shall limit the number of television or still cameras to fewer than two representatives from each medium.

(f) Subcommittee Meetings—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) Public Notice of Committee Hearings—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or subcommittee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly



entered into the Committee scheduling service of the House Information Systems.

#### SEC. 6. PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

##### (a) Prompt Reporting Requirement:

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) Presence of Committee Majority—No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(c) Roll Call Votes—With respect to each roll call vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) Compliance With Congressional Budget Act—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required by Section 308(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the bill or resolution provides new budget authority.

(e) Constitutional Authority Statement—Each report of the Committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(f) Changes in Existing Law—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or indirectly changes the application of existing law.

(g) Rescissions and Transfers—Each bill or resolution reported by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(h) Listing of Unauthorized Appropriations—Each Committee report on a general appropriations bill shall contain a list of all appropriations contained in the bill for any expenditure not previously authorized by law (except for classified intelligence or national security programs, projects, or activities).

##### (i) Supplemental or Minority Views:

(1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, or additional views, the Member shall be entitled to not less than two additional calendar days after the day of

such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.

(2) The Committee report on that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(ii) shall have on its cover a recital that any such supplemental, minority, or additional views are included as part of the report.

(3) Subsection (h)(1) of this section, above, does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by the Committee on that measure or matter.

(4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, or additional views shall be entitled, insofar as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.

(j) Availability of Reports—A copy of each bill, resolution, or report shall be made available to each member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; *Provided*, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

#### SEC. 7. VOTING

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members present.

#### SEC. 8. STUDIES AND EXAMINATIONS

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and operation of Executive Agencies under authority contained in Section 202(b) of the Legislative Reorganization Act of 1946 and in Clause 2(b)(3) of Rule X of the Rules of the House of Representatives:

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority mem-

ber thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

(c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action.

(d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.

(e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

#### SEC. 9. OFFICIAL TRAVEL

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff, including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned not to honor requests of subcommittees, individual Members or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive appropriation, except upon request from the Chairman.

(d) In accordance with Clause 2(n) of Rule XI of the Rules of the House of Representatives and Section 502(b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

##### (e) Travel Reports:

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses, and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (1) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose; and (2) a summary in these categories of the total foreign currencies and/or

appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than sixty days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by the Member or employee.

(4) No report or statement as to any trip shall be publicized making any recommendations in behalf of the Committee without the authorization of a majority of the Committee.

(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable laws or regulations of the House and the Committee on House Oversight pertaining to such travel, and as promulgated from time to time by the Chairman.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of illness in the family.

Ms. DANNER (at the request of Mr. GEPHARDT) for today, on account of the death of her mother.

Ms. CARSON (at the request of Mr. GEPHARDT) for today, on account of illness.

Mr. ENGEL (at the request of Mr. GEPHARDT) for today, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. WISE, for 5 minutes, today.

Ms. CHRISTIAN-GREEN, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. SKAGGS, for 5 minutes, today.

(The following Members (at the request of Mr. PAPPAS) to revise and extend their remarks and include extraneous material:)

Mr. CANADY of Florida, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. WOLF, for 5 minutes, on February 27.

Mr. THUNE, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. COBURN, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. FOLEY, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous material:)

Mrs. KENNELLY of Connecticut.

Mr. HAMILTON.

Mr. STARK.

Mr. KENNEDY of Rhode Island.

Mr. HALL of Ohio.

Mr. CUMMINGS.

Mr. POSHARD.

Mrs. MINK of Hawaii.

Mr. RANGEL.

Mr. SISISKY.

Mr. BORSKI.

Mrs. MEEK of Florida.

Ms. JACKSON-LEE of Texas.

(The following Members (at the request of Mr. PAPPAS) and to include extraneous material:)

Mr. CALLAHAN.

Mrs. ROUKEMA, in two instances.

Mr. GILMAN, in two instances.

Mr. HYDE, in two instances.

(The following Members (at the request of Mr. LAMPSON) and to include extraneous matter:)

Mr. HASTINGS of Florida.

Mr. HOYER.

Mr. MORAN.

Mr. TRAFICANT.

Mr. SOLOMON.

Mr. PETRI.

Mr. SAXTON.

Mr. TALENT.

Mr. LAHOOD.

Mr. BONILLA.

Mr. KLINK.

Mr. SAM JOHNSON of Texas.

Mr. NADLER.

(The following Members (at the request of Mr. NEUMANN) and to include extraneous matter:)

Mr. WOLF.

Mr. ABERCROMBIE.

Mr. KENNEDY of Massachusetts.

Mr. HALL of Ohio.

Mr. NUSSLE.

#### ADJOURNMENT

Mr. NEUMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 27, 1997, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1914. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the transfer of property to the Republic of Panama under the Panama Canal Treaty of 1977 and related agreements, pursuant to 22 U.S.C. 3784(b); to the Committee on National Security.

1915. A letter from the Under Secretary of Defense, transmitting notification that the Department's Vision 21 Plan will be transmitted to the Congress in the near future; to the Committee on National Security.

1916. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the annual report to Congress on the operations of the Export-Import Bank of the United States for fiscal year 1996, pursuant to 12 U.S.C. 635g(a); to the Committee on Banking and Financial Services.

1917. A letter from the Acting General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Indemnification of Department of Housing and Urban Development Employees [Docket No. FR-4143-F-01] (RIN: 2501-AC34) received February 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1918. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Unemployment Insurance Program Letter [Letter No. 05-97] received February 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1919. A letter from the Secretary of Energy, transmitting a corrected copy of a report on the coking of natural gas with coal in utility and large industrial boilers (EC 1843) which was transmitted February 25, 1997; to the Committee on Commerce.

1920. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Norway (Transmittal No. DTC-66-96), pursuant to 22 U.S.C. 2776 2776(d); to the Committee on International Relations.

1921. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1922. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a listing of gifts by the U.S. Government to foreign individuals during fiscal year 1996, pursuant to 22 U.S.C. 2694(2); to the Committee on International Relations.

1923. A letter from the Director, Federal Emergency Management Agency, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1924. A letter from the Chair, Federal Energy Regulatory Commission, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

1925. A letter from the Assistant Comptroller General, General Accounting Office, transmitting the Office's report on the United States-Japan Fighter Aircraft Program; to the Committee on Government Reform and Oversight.

1926. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Introduction of Miscellaneous Amendments (DOD, GSA, NASA) [Federal Acquisition Circular 90-43] received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1927. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting



the Administration's final rule—Federal Acquisition Regulation; FASA and the Walsh-Healey Public Contracts Act (DOD, GSA, NASA) [FAC 90-43, FAR Case 96-601, Item I] (RIN: 9000-AH31) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1928. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Individual and Class Deviations (DOD, GSA, NASA) [FAC 90-43; FAR Case 96-004; Item II] (RIN: 9000-AH32) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1929. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Use of Data Universal Numbering System as Primary Contractor Identification (DOD, GSA, NASA) [FAC 90-43, FAR Case 95-307, Item III] (RIN: 9000-AH33) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1930. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Inapplicability of Cost Accounting Standards to Contracts and Subcontracts for Commercial Items (DOD, GSA, NASA) [FAC 90-43; FAR Case 96-310; Item IV] (RIN: 9000-AH01) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1931. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Allowable Cost and Payment Clause (DOD, GSA, NASA) [FAC 90-43; FAR Case 93-024; Item V] (RIN: 9000-AG74) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1932. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Mentor Protege Program (DOD, GSA, NASA) [FAC 90-43; FAR Case 93-308; Item VI] (RIN: 9000-AG70) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1933. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Minority Small Business and Capital Ownership (DOD, GSA, NASA) [FAC 90-43; FAR Case 95-028, Item VII] (RIN: 9000-AH34) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1934. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Extension of Small Business Competitiveness Demonstration Program (DOD, GSA, NASA) [FAC 90-43; FAR Case 96-328, Item VIII] (RIN: 9000-AH40) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1935. A letter from the Deputy Associate Administrator for Acquisition Policy, Gen-

eral Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Morale, Health, Welfare Costs/Contractor Overhead Certification (DOD, GSA, NASA) [FAC 90-43; FAR Case 92-613, Item IX] (RIN: 9000-AG85) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1936. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Impairment of Long-Lived Assets (DOD, GSA, NASA) [FAC 90-43; FAR Case 95-003, Item X] (RIN: 9000-AG73) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1937. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Local Government Lobbying Costs (DOD, GSA, NASA) [FAC 90-43, FAR Case 96-003, Item XI] (RIN: 9000-AH35) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1938. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Clause Flowdown (DOD, GSA, NASA) [FAC 90-43; FAR Case 92-035, Item XII] (RIN: 9000-AG76) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1939. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Collection of FASA-Related Information within the Federal Procurement Data System (DOD, GSA, NASA) [FAC 90-43; FAR Case 95-310, Item XIII] (RIN: 9000-AH36) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1940. A letter from the Associate Administrator, General Services Administration, transmitting the Administration's 1996 annual report to the Congress; to the Committee on Government Reform and Oversight.

1941. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

1942. A letter from the Director, Peace Corps, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

1943. A letter from the Marshal of the Court, Supreme Court of the United States, transmitting the annual report on the cost of the protective function provided by the Supreme Court Police to Justices, official guests and employees of the court, pursuant to 40 U.S.C. 13n(c); to the Committee on the Judiciary.

1944. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Classification of Certain Scientists of the Commonwealth of Independent States of the Former Soviet Union and the Baltic States as Employment-Based Immigrants [INS No. 1602-

92] (RIN: 1115-AD33) received February 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1945. A letter from the Secretary of Energy, transmitting a detailed progress review of the research and development authorized under the act, pursuant to Public Law 101-425, section 10 (104 Stat. 919); to the Committee on Science.

1946. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Government Securities Act Regulations: Recordkeeping (Bureau of the Public Debt) [17 CFR Part 404] received February 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1947. A letter from the Chairman, Federal Election Commission, transmitting a supplemental fiscal year 1997 request for additional funds, pursuant to 2 U.S.C. 437d(d)(1); jointly, to the Committees on Appropriations and House Oversight.

1948. A letter from the Chairman, Federal Election Commission, transmitting its amended fiscal year 1998 budget request and justification, pursuant to 2 U.S.C. 437d(d)(1); jointly, to the Committees on Appropriations and House Oversight.

1949. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's obligation of funds for additional program proposals for purposes of Nonproliferation and Disarmament Fund [NDF] activities, pursuant to 22 U.S.C. 5858; jointly, to the Committees on International Relations and Appropriations.

1950. A letter from the Secretary of Commerce, transmitting the annual report of the Secretary of Commerce to the Congress for the fiscal year ending September 30, 1995, pursuant to 15 U.S.C. 1519; jointly, to the Committees on Commerce, Ways and Means, Government Reform and Oversight, the Judiciary, Science, Transportation and Infrastructure, Banking and Financial Services, and International Relations.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN (for himself and Mr. FILNER):

H.R. 836. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BACHUS:

H.R. 837. A bill to improve the administration of the Fair Debt Collection Practices Act; to the Committee on Banking and Financial Services.

By Mrs. CHENOWETH (for herself, Mr. CRAPO, and Mr. SMITH of Oregon):

H.R. 838. A bill to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes; to the Committee on Resources.

By Mr. CONYERS (for himself, Mr. DELLUMS, Mr. EVANS, Mrs. MEEK of Florida, and Ms. WATERS):

H.R. 839. A bill to amend the United States Housing Act of 1937 to require the Secretary

of Housing and Urban Development to administer a program of construction and revitalization of public housing, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. CALVERT, Mr. FOX of Pennsylvania, Mr. HOLDEN, Mr. FROST, Mr. MASCARA, and Mr. FATTAH):

H.R. 840. A bill to amend the Internal Revenue Code of 1986 to disregard certain amounts of capital expenditures in applying \$10,000,000 limit on such issues, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. MATSUI, Mr. ROYCE, Mr. ENSIGN, Mr. GEJDENSON, and Mr. WAXMAN):

H.R. 841. A bill to amend the Internal Revenue Code of 1986 relating to the unemployment tax for individuals employed in the entertainment industry; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself and Mr. HOLDEN):

H.R. 842. A bill to amend the Internal Revenue Code of 1986 to exempt small issues from the restrictions on the deduction by financial institutions for interest; to the Committee on Ways and Means.

By Mr. FORD (for himself, Mr. LEWIS of Georgia, Mr. THOMPSON, Mr. REYES, Mr. BLAGOJEVICH, Mr. JACKSON, Mr. MALONEY of Connecticut, Ms. JACKSON-LEE, Mr. CLYBURN, Ms. MCKINNEY, Mr. STARK, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. KILPATRICK):

H.R. 843. A bill to prohibit the location of solid and hazardous waste facilities near residential, day care, church, and school properties; to the Committee on Commerce.

By Mr. HASTINGS of Florida:

H.R. 844. A bill to amend title 18, United States Code, to prohibit the disposition of a firearm to, and the possession of a firearm by, nonpermanent resident aliens; to the Committee on the Judiciary.

By Mrs. KENNELLY of Connecticut:

H.R. 845. A bill to amend title 18, United States Code, to provide a minimum mandatory penalty for conveying false bomb threats through instrumentalities of interstate and foreign commerce; to the Committee on the Judiciary.

H.R. 846. A bill to amend the Internal Revenue Code of 1986 to require gain recognition in the case of certain transactions that are equivalent to sales of financial instruments, and for other purposes; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mrs. MORELLA):

H.R. 847. A bill to amend the Public Health Service Act to establish a program of providing information and education to the public on the prevention and treatment of eating disorders; to the Committee on Commerce.

By Mr. MCHUGH:

H.R. 848. A bill to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York, and for other purposes; to the Committee on Commerce.

By Mr. PACKARD (for himself, Mr. BILBRAY, Mr. CUNNINGHAM, Mr. HUNTER, Mr. ROHRBACHER, and Mr. TRAFICANT):

H.R. 849. A bill to prohibit an alien who is not lawfully present in the United States from receiving assistance under the Uniform

Relocation Assistance and Real Property Acquisition Policies Act of 1970; to the Committee on Transportation and Infrastructure.

By Mr. RANGEL (for himself and Mr. GILMAN):

H.R. 850. A bill to amend certain provisions of law concerning communications between Government agencies and the Immigration and Naturalization Service; to the Committee on the Judiciary.

By Mr. ROYBAL-ALLARD (for herself, Mr. TORRES, Mrs. MORELLA, Mr. FROST, Mr. GUTIERREZ, Ms. SLAUGHTER, Ms. LOFGREN, Ms. NORTON, Mrs. MALONEY of New York, Ms. PELOSI, Mr. ACKERMAN, Mr. JACKSON, Mr. CONYERS, Mr. LEWIS of Georgia, and Mr. BALDACCIO):

H.R. 851. A bill to amend the Family and Medical Leave Act of 1993 to allow leave to address domestic violence and its effects, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Government Reform and Oversight, and House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TALENT:

H.R. 852. A bill to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small businesses, educational and non-profit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies; to the Committee on Government Reform and Oversight, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 853. A bill to direct the Comptroller General of the United States to study the effect that a tax system comprised of a 10 percent Federal consumption tax and a 10 percent flat Federal income tax would have on the Federal Government and the U.S. economy; to the Committee on Ways and Means.

H.R. 854. A bill to discourage domestic corporations from establishing foreign manufacturing subsidiaries in order to avoid Federal taxes by including in gross income of U.S. shareholders in foreign corporations the retained earnings of any such subsidiary which are attributable to manufacturing operations in runaway plants or tax havens; to the Committee on Ways and Means.

By Ms. WOOLSEY:

H.R. 855. A bill to amend the Higher Education Act of 1965 to provide administrative support and information to States for the establishment and operation of prepaid tuition programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WATTS of Oklahoma (for himself, Mr. BISHOP, Mr. MCINTOSH, Mr. SOUDER, Mrs. MALONEY of New York, Mrs. KELLY, Mr. WOLF, Mr. FROST, and Mrs. KENNELLY of Connecticut):

H.J. Res. 56. Joint resolution celebrating the end of slavery in the United States; to the Committee on Government Reform and Oversight.

By Mr. SENSENBRENNER:

H.J. Res. 77. Resolution providing amounts for the expenses of the Committee on

Science in the 105th Congress; to the Committee on House Oversight.

By Mr. PAPPAS:

H.J. Res. 78. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. BURTON of Indiana:

H.J. Res. 79. Resolution amending the Rules of the House of Representatives to discourage frivolous ethics complaints; to the Committee on Rules.

By Mr. KASICH:

H.J. Res. 80. Resolution providing amounts for the expenses of the Committee on the Budget in the 105th Congress; to the Committee on House Oversight.

## MEMORIALS

Under clause 4 of rule XXII,

22. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to House Concurrent Resolution No. 2: To request of the 105th Congress and the President of the United States of America to respond to the democratic aspirations of the American citizens of Puerto Rico, in order to achieve a process that guarantees the prompt decolonization of Puerto Rico by means of a plebiscite sponsored by the Federal Government, which must be held no later than 1998; to the Committee on Resources. February 26, 1997.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1: Mr. GIBBONS, Mrs. ROUKEMA, Mr. ROGAN, Mr. PETERSON of Pennsylvania, Mr. WATTS of Oklahoma, Mr. SHADEGG, and Mr. COX of California.

H.R. 4: Mr. GALLEGLY, Mr. FAWELL, Mr. HINCHEY, Mr. COMBEST, Mr. BISHOP, Mr. MCCOLLUM, Mr. GONZALEZ, Mr. SKELTON, Mr. POMBO, Mr. MOAKLEY, Mr. GUTIERREZ, Mr. DAVIS of Virginia, Mr. HALL of Texas, Ms. HARMAN, Mr. MCINTOSH, Mr. OXLEY, Mr. HASTINGS of Washington, Mr. HILLIARD, and Mr. RILEY.

H.R. 7: Mr. LIPINSKI, Mr. HEFLEY, Mr. BURR of North Carolina, Mr. GREENWOOD, Mrs. ROUKEMA, and Mrs. KELLY.

H.R. 15: Mr. NETHERCUTT, Mr. ENSIGN, Mr. MCKEON, Mr. WAXMAN, Mrs. MORELLA, Mrs. JOHNSON of Connecticut, and Mr. LEWIS of Georgia.

H.R. 38: Mrs. MEEK of Florida, Mr. PASTOR, Mr. MANTON, Mr. WELDON of Florida, Mr. FILLNER, and Mr. FARR of California.

H.R. 44: Mr. GIBBONS.

H.R. 65: Mrs. MEEK of Florida, Mr. PASTOR, Mr. RAHALL, Mr. FAZIO of California, Mr. RIGGS, Mr. GIBBONS, Mr. COBURN, Mr. MCINTYRE, Mr. EHRlich, and Mr. JEFFERSON.

H.R. 80: Mr. SANFORD, Mr. COSTELLO, Ms. LOFGREN, Mrs. LINDA SMITH of Washington, and Mr. POMBO.

H.R. 107: Mr. VENTO, Mr. GILLMOR, Mr. DAVIS of Virginia, Mr. METCALF, Mr. SMITH of New Jersey, Mr. CHAMBLISS, Mr. ENGEL, Ms. NORTON, Mr. SANDERS, Mr. HORN, Mr. BROWN of California, Mr. GALLEGLY, Mr. PETRI, Ms. LOFGREN, Mr. RAHALL, and Mr. ENGLISH of Pennsylvania.

H.R. 108: Mr. UNDERWOOD.

H.R. 123: Mr. DAVIS of Virginia, Mr. MANZULLO, Mr. COBLE, and Mr. HOEKSTRA.

H.R. 127: Mr. FORD, Mr. MURTHA, Mrs. MCCARTHY of New York, and Mr. PRICE of North Carolina.



H.R. 150: Mr. THOMPSON and Mr. SERRANO.  
H.R. 158: Mr. KLINK, Mr. SOUDER, Mr. CHABOT, Ms. PRYCE of Ohio, Mr. PETRI, Mr. HEFLEY, and Mr. POMBO.

H.R. 160: Mr. BUNNING of Kentucky, Mr. CRANE, and Mr. WELLER.

H.R. 162: Mr. LUCAS of Oklahoma and Mr. CRANE.

H.R. 163: Mr. LUCAS of Oklahoma.

H.R. 177: Ms. JACKSON-LEE.

H.R. 182: Mr. THOMPSON and Mr. LEWIS of Georgia.

H.R. 192: Mr. SPRATT, Mr. DOOLEY of California, Mr. RILEY, Mr. GRAHAM, Mr. GREEN, Mr. ROMERO-BARCELO, Mr. BRYANT, Mr. CANADY of Florida, Mr. MCINTYRE, Mr. WELDON of Florida, and Mr. HALL of Texas.

H.R. 230: Mrs. THURMAN.

H.R. 250: Mr. HINCHEY.

H.R. 279: Mr. TRAFICANT, Mr. BILBRAY, Mr. GREENWOOD, Mr. ENGLISH of Pennsylvania, Mr. GILMAN, Mr. DREIER, Mr. HOUGHTON, Mr. KIM, Mr. LAZIO of New York, Mr. ANDREWS, Mr. FARR of California, Mr. FILNER, Mr. GUTIERREZ, Mrs. LOWEY, Mr. SCHUMER, Mr. WAXMAN, Mrs. MYRICK, Mr. METCALF, Mr. GEKAS, Mr. MARKEY, Mr. KLUG, Mr. FLAKE, Mr. RANGEL, Ms. VELÁZQUEZ, Ms. SANCHEZ, Mr. DICKEY, Mr. HYDE, Mr. KANJORSKI, Mr. MCCRERY, Mr. STOKES, Mr. FOGLIETTA, and Mr. FALCOMAVALGA.

H.R. 303: Mrs. MEEK of Florida, Mr. PASTOR, Mr. RAHALL, Mr. FAZIO of California, Mr. RIGGS, Mr. GIBBONS, Mr. MCINTYRE, Mr. WELDON of Florida, Mr. FALCOMAVALGA, and Mr. JEFFERSON.

H.R. 345: Mr. WELDON of Pennsylvania, Mr. KOLBE, Mr. LARGENT, Mr. LIPINSKI, Mr. COBURN, and Mr. RIGGS.

H.R. 347: Mr. LIPINSKI and Mr. SENSENBRENNER.

H.R. 366: Mr. GREEN.

H.R. 382: Ms. LOFGREN.

H.R. 383: Mr. ROMERO-BARCELÓ, Mr. CLYBURN and Mr. OWENS.

H.R. 406: Mr. STEARNS.

H.R. 408: Mr. PACKARD, Mr. PORTER, Mr. FLAKE, Mr. POMBO, and Mr. JEFFERSON.

H.R. 409: Mr. KING of New York, Mr. LAHOOD, and Mr. RIGGS.

H.R. 414: Mr. SPRATT, Mr. DOOLEY of California, Mr. RILEY, Mr. POMBO, Mr. GRAHAM, Mr. GREEN, Mr. BONO, Mr. ROMERO-BARCELO,

Mr. BRYANT, Mr. CANADY of Florida, Mr. MCINTYRE, Mr. WELDON of Florida, Mr. HALL of Texas, and Mr. MCHALE.

H.R. 446: Mr. BURR of North Carolina, Mr. NETHERCUTT, Mr. TAYLOR of North Carolina, Mr. NEY, Mr. COBLE, and Mrs. CHENOWETH.

H.R. 464: Mr. HOLDEN and Mr. GRAHAM.

H.R. 465: Mr. MORAN of Virginia, Mr. GOODLING, and Mr. FILNER.

H.R. 476: Ms. JACKSON-LEE, Mr. DELAHUNT, and Mr. MCGOVERN.

H.R. 501: Mr. FROST and Ms. JACKSON-LEE.

H.R. 519: Mr. KILDEE, Mr. EHLERS, Mr. CRANE, Mr. CANADY of Florida, and Mr. UPTON.

H.R. 532: Mr. CLAY, Mr. ENGLISH of Pennsylvania, Mr. EDWARDS, Mr. TURNER, Mr. PAUL, Mr. HERGER, Mr. SANDLIN, and Mr. JEFFERSON.

H.R. 533: Mr. ABERCROMBIE, Mr. HORN, Mr. ACKERMAN, Mr. UNDERWOOD, Mr. FOLEY, Ms. NORTON, Mr. ENGLISH of Pennsylvania, Mr. CLEMENT, Mr. MALONEY of Connecticut, Mrs. LOWEY, Mr. SKAGGS, Mr. MCCOLLUM, and Mr. BACHUS.

H.R. 548: Mr. TRAFICANT, Mr. RAHALL, Mrs. MINK of Hawaii, Mr. DELLUMS, Ms. CHRISTIAN-GREEN, Mrs. CLAYTON, Mr. LAFALCE, Mr. COYNE, Mrs. MALONEY of New York, Ms. PELOSI, Mrs. LOWEY, Mr. MORAN of Virginia, Mr. FROST, Mr. BERMAN, and Mr. McDERMOTT.

H.R. 586: Ms. SANCHEZ and Mr. SHAYS.

H.R. 594: Mr. GOODLATTE, Mr. BALLENGER, Mr. NEY, Mr. HOLDEN, Mr. McDERMOTT, Mr. DELLUMS, and Ms. RIVERS.

H.R. 598: Mr. WATTS of Oklahoma, Mr. LAHOOD, Mrs. MEEK of Florida, and Mr. FRANK of Massachusetts.

H.R. 603: Mr. CHABOT, Mr. PARKER, and Mr. FRELINGHUYSEN.

H.R. 612: Mr. YATES, Mr. DICKS, Mr. GONZALEZ, Mr. ROMERO-BARCELO, Mr. CAMPBELL, Mr. THOMPSON, Mr. RUSH, Mr. FOGLIETTA, Mr. GRAHAM, Mr. DELLUMS, Mr. LEACH, Mr. SKELTON, Mr. OLVER, and Mr. KIND of Wisconsin.

H.R. 614: Mrs. MYRICK and Mr. SANFORD.

H.R. 622: Mr. SOLOMON, Mr. BONO, Mr. MANZULLO, Mr. NORWOOD, and Mrs. MYRICK.

H.R. 636: Mr. HERGER, Mrs. MYRICK, Mr. MCINTOSH, Mr. BUTON of Indiana, and Mr. SCARBOROUGH.

H.R. 671: Ms. KAPTUR, Mr. EVANS, and Ms. RIVERS.

H.R. 695: Mr. HASTINGS of Washington, Mr. COOK, and Mr. FOX of Pennsylvania.

H.R. 715: Mr. KENNEDY of Massachusetts, Mr. KLECZKA, Mr. RAMSTAD, Ms. RIVERS, Mr. ROTHMAN, and Ms. MOLINARI.

H.R. 716: Mr. SENSENBRENNER and Mr. RIGGS.

H.R. 722: Mr. SESSIONS, Mr. METCALF, Mr. GOODE, Mrs. MORELLA, Mr. PEASE, Mr. CLEMENT, Mr. WELDON of Florida, Mr. BACHUS, and Mr. HILL.

H.R. 738: Mr. DELLUMS.

H.R. 752: Mr. CALVERT.

H.R. 755: Mr. THOMPSON and Mr. WEYGAND.

H.R. 760: Mr. GREEN.

H.R. 766: Ms. NORTON, Mr. CONDIT, Mr. FROST.

H.R. 784: Mr. BORSKI, Mr. DELLUMS, and Mr. JEFFERSON.

H.R. 789: Mr. WATTS of Oklahoma, Mr. NETHERCUTT, and Mr. MCINTOSH.

H.R. 820: Mr. WAXMAN and Mr. CARDIN.

H.J. Res. 52: Mr. EVERETT, Mr. POMBO, and Ms. DUNN of Washington.

H. Con. Res. 14: Mr. SAXTON, Ms. NORTON, Mr. ROTHMAN, Mr. KIND of Wisconsin, Mr. FROST, Mr. ABERCROMBIE, Ms. LOFGREN, and Mr. WATTS of Oklahoma.

H. Res. 27: Ms. JACKSON-LEE.

H. Res. 37: Ms. MCKINNEY, Mr. MARTINEZ, Mr. GILCHREST, Mr. NETHERCUTT, and Mr. SKAGGS.

H. Res. 40: Mr. DELLUMS, Mr. ENGEL, Ms. RIVERS, Mr. BARCIA of Michigan, Ms. KILPATRICK, Mr. MARTINEZ, Ms. ESHOO, Mr. RUSH, Mr. FROST, Ms. MILLENDER-MCDONALD, Mr. OWENS, Ms. WATERS, Mrs. THURMAN, Mrs. CLAYTON, Ms. PELOSI, Mr. ACKERMAN, and Mr. PAYNE.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1: Ms. JACKSON-LEE.

H.J. Res. 1: Mr. BROWN of Ohio.